

ceased World War veterans; without amendment (Rept. No. 1432). Referred to the House Calendar.

Mr. MURRAY of Tennessee: Committee on the Post Office and Post Roads. H. R. 4215. A bill to extend to the custodial-service employees of the Post Office Department certain benefits applicable to postal employees; without amendment (Rept. No. 1434). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 540. Resolution providing for the consideration of S. 1767, an act to provide Federal Government aid for the readjustment in civilian life of returning World War 2 Veterans; without amendment (Rept. No. 1435). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XXII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HARTLEY: Committee on Patents. H. R. 2994. A bill to extend reissued Letters Patent No. 19,023; without amendment (Rept. No. 1433). Referred to the Committee of the Whole House.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KILDAY:

H. R. 4787. A bill to regulate the character of discharges from the land and naval forces of the United States; to the Committee on Military Affairs.

By Mr. HOLMES of Massachusetts:

H. R. 4788. A bill to extend for an additional 180 days the period during which certain grains and other products may be imported from foreign countries free of duty; to the Committee on Ways and Means.

By Mr. WALTER:

H. R. 4789. A bill to provide for the settlement of claims arising from terminated war contracts, and for other purposes; to the Committee on the Judiciary.

By Mr. ROWE:

H. J. Res. 276. Joint resolution to provide for an international conference of representatives of English-speaking nations for the purpose of formulating a comprehensive post-war foreign policy; to the Committee on Foreign Affairs.

By Mr. DAY:

H. J. Res. 277. Joint resolution proposing an amendment to the Constitution of the United States, relating to the preservation of the independence and sovereignty of the United States; to the Committee on the Judiciary.

By Mr. LYNCH:

H. J. Res. 278. Joint resolution to reduce the tax on admissions to cabarets, roof gardens, and similar entertainments; to the Committee on Ways and Means.

By Mr. LUDLOW:

H. Res. 541. Resolution providing for an investigation of bureaucracy and unconstitutional trends of government; to the Committee on Rules.

By Mr. COFFEE:

H. Res. 542. Resolution to forbid participation by American citizens in forthcoming annual meeting of the Bank for International Settlements; to the Committee on Foreign Affairs.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills severally referred as follows:

By Mr. BALDWIN of New York:

H. R. 4790. A bill for the relief of Ida F. Braun, Alice Braun Menges, and Carl J. Braun, individually and as executors of the estate of Hedwig W. Braun, deceased, and as legatees and beneficiaries of the will of Hedwig W. Braun, deceased, and as the sole parties in interest by succession under the last will and testament of Hedwig W. Braun, deceased, and under the last will and testament of Herman W. Braun, deceased; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 4791. A bill for the relief of Albert E. Severns; to the Committee on Claims.

#### PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5639. By Mr. CLASON: Petition of Annie Kempkis, secretary-treasurer of Local 211, Smith College, Northampton, Mass., requesting that the proceedings of Congress be broadcast; to the Committee on Rules.

5640. By Mr. LAMBERTSON: Petition of Paul Brenner, of Randolph, Kans., and 10 other citizens of that community, demanding that all be refunded their penalty money for 1941-42 on excess wheat and opposing a subsidy on any commodity; to the Committee on Agriculture.

5641. By Mr. ROLPH: Resolution of the Western Association of State Game and Fish Commissioners, of San Francisco, relative to hunting, fishing, and trapping upon the public domain; to the Committee on Agriculture.

5642. Also, resolution of the Golden Gate Parlor, No. 158, Native Daughters of the Golden West, relating to return of Japanese to Pacific coastal areas; also regarding prisoners of war; to the Committee on Military Affairs.

5643. Also, resolution of the San Francisco Labor Council, San Francisco, relative to the so-called cabaret tax; to the Committee on Ways and Means.

5644. Also, resolution of the State Building and Construction Trades Council of California, San Francisco, relative to prisoners of war; to the Committee on Military Affairs.

5645. Also, resolution of the Cooks, Pastry Cooks, and Assistants, Local No. 44, San Francisco, urging support of Senate bill 1767; to the Committee on World War Veterans' Legislation.

5646. By the SPEAKER: Petition of 1,000,000 citizens, requesting the passage of Senate bill 1767, the bill generally known as the G. I. bill of rights; to the Committee on World War Veterans' Legislation.

5647. Also, petition of the president, Union Republican Progressive Party of Puerto Rico, petitioning consideration of their resolution with reference to Senator WILLIAM LANGER's bill, granting statehood to Puerto Rico; to the Committee on Insular Affairs.

5648. Also, petition of the chairman, Union Republican Progressive Party of Puerto Rico, petitioning consideration of their resolution with reference to expressing sympathy over the death of Frank Knox; to the Committee on Naval Affairs.

5649. Also, petition of the president, Union Republican Progressive Party of Puerto Rico, petitioning consideration of their resolution with reference to gratitude to the House subcommittee, known as the Bell subcommittee, which recently investigated the general conditions prevailing in Puerto Rico; to the Committee on Insular Affairs.

5650. Also, petition of the president, Union Republican Progressive Party of Puerto Rico, petitioning consideration of their resolution with reference to gratitude to the Senate subcommittee, known as the Chavez subcommittee, which recently investigated the economic and social conditions prevailing in Puerto Rico; to the Committee on Insular Affairs.

On Insular Affairs.

## SENATE

THURSDAY, MAY 11, 1944

(Legislative day of Tuesday, May 9, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in the tender grace of a new morning fresh with the sparkling dew of Thy never-failing mercies, grateful that yet another day is added to the record of our lives, we would dedicate anew to Thee at this our daily altar of devotion our minds, our souls, our strength, as the instruments of Thy loving care for all Thy children. To this shrine of our spirits in patriotism pure and undefiled we would bring our lips to be touched by the burning coals of Thy cleansing, that Thou mayest speak through them; our minds to be illumined with kindling thought that flame for Thee; our wills that they may glow with holy zeal to do Thy will; our eyes that anointed they may see the invisible with the far look of a faith in things that shall abide beyond our earthly years.

"Direct, control, suggest this day  
All we design, or do, or say,  
That all our powers, with all their might,  
In Thy sole glory may unite."

Amen.

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, May 10, 1944, was dispensed with, and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed a bill (H. R. 4464) to increase the debt limit of the United States, in which it requested the concurrence of the Senate.

#### CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Alken	Connally	Johnson, Colo.
Austin	Cordon	La Follette
Bailey	Danaher	Langer
Ball	Davis	McCarran
Bankhead	Downey	McClellan
Barkley	Eastland	McFarland
Bilbo	Ellender	McKellar
Brewster	George	Maloney
Brooks	Gerry	Maybank
Buck	Gillette	Mead
Bushfield	Guffey	Millikin
Butler	Gurney	Moore
Byrd	Hatch	Murdoch
Capper	Hawkes	Nye
Caraway	Hayden	O'Mahoney
Chavez	Hill	Overton
Clark, Mo.	Jackson	Radcliffe

Reed	Taft	Walsh, N. J.
Reynolds	Thomas, Idaho	Weeks
Robertson	Tunnell	Wheeler
Russell	Tydings	Wherry
Shipstead	Vandenberg	White
Smith	Wagner	Wilson
Stewart	Walsh, Mass.	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from Virginia [Mr. GLASS] are absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] has been appointed by the President of the United States as a delegate to attend the International Labor Organization Conference in Philadelphia, and is therefore necessarily absent.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Montana [Mr. MURRAY], and the Senator from Oklahoma [Mr. THOMAS] are detained on public business.

The Senator from Texas [Mr. O'DANIEL] is necessarily absent.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Ohio [Mr. BURTON], the Senator from Michigan [Mr. FERGUSON], the Senator from Oregon [Mr. HOLMAN], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

#### THE HOG-CORN SITUATION—NOTICE OF AND INVITATION TO MEETING

Mr. WHERRY. Mr. President, I wish to say a word about the hog situation, which has become not only acute but alarming in the States in which hogs are marketed. I wish also to announce that tomorrow morning at 10:30, in the Senate Indian Affairs Committee hearing room, No. 424, Senate Office Building, a hearing will be conducted not only with respect to the hog situation but the corn-freeze order. The meeting has been called by the junior Senator from Kansas [Mr. REED], and an invitation is extended to everyone who is interested in the problem.

For the information of the Senate I will say that there was a carry-over last night of hogs unsold in the principal markets of the country in excess of 73,000 head. That means they cannot be sold until this morning. The indication of receipts this morning at the principal markets is a total of more than 85,000 head of hogs. Embargoes are being placed upon these markets, and it means

that the farmers who have to carry their hogs over until their turn comes to have them sold are losing thousands of dollars because of the shrinkage in weight and the fact that the hogs are outclassed the next day when they are sold in the market.

This situation has developed primarily because of the corn-freeze order, to which I invite attention; and I pray that every Senator from the Middle West, or from any other section of the country which produces hogs and corn, will please accept the invitation extended by the distinguished Senator from Kansas, who has devoted a great deal of work and attention to the question, to be present at the meeting which is to be held tomorrow at 10:30, at which will be present the officials who are responsible for the order, and at which an attempt will be made to see if some relief cannot be secured.

We simply must eliminate these embargoes; we simply must eliminate the disorderly marketing of hogs if we are to continue a hog program at all in this country. The situation is alarming; it is serious. I hope that all Senators interested, regardless of party, will take an active interest in the matter and come to the meeting tomorrow at which an attempt will be made to discover whether something can be done in conjunction with the officials responsible for the situation, in order to eliminate this distressing condition.

Mr. REED. Mr. President, I may add to what the Senator from Nebraska has said that Judge Marvin Jones, War Food Administrator, has expressed his entire willingness to be present tomorrow morning and discuss the question with Senators interested in the corn-hog situation.

Mr. WHERRY. Mr. President, I close by expressing the hope that all Senators who are interested in the hog and corn situation will take advantage of this opportunity at which we can meet with Judge Jones and officials responsible and, if possible, take some steps to amend the order which has caused a congestion of hogs which is resulting in such a demoralizing condition in the markets of our country.

#### NOTICE OF SHOWING OF MOTION PICTURE OF THE BATTLE FOR NEW BRITAIN

Mr. REYNOLDS. Mr. President, the Military Affairs Committee of the Senate cordially invites all Members of the Senate, together with their office staffs and families, to attend the showing of a motion picture entitled "The Battle for New Britain," tomorrow afternoon at 2:30 and also at 3:30, in the auditorium of the Congressional Library.

#### BOARD OF VISITORS TO THE MILITARY ACADEMY

Mr. REYNOLDS. Mr. President, pursuant to law and as chairman of the Committee on Military Affairs, I appoint the following members of the committee to the Board of Visitors to the Military Academy for 1944:

The Senator from North Carolina [Mr. REYNOLDS], the senior Senator from West Virginia [Mr. KILGORE], the Sena-

tor from Wyoming [Mr. O'MAHONEY], the junior Senator from West Virginia [Mr. REVERCOMB], and the Senator from Iowa [Mr. WILSON].

#### DISCLOSURE OF INFORMATION OBTAINED THROUGH CENSORSHIP

Mr. HAYDEN. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report back favorably, without amendment, Senate Resolution 282, and ask unanimous consent for its present consideration. The resolution provides an appropriation to conduct an investigation proposed by the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The resolution (S. Res. 282), submitted by Mr. REED on April 21, 1944, was read, as follows:

*Resolved*, That the Committee on Post Offices and Post Roads, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the censorship of communications under section 303 of the First War Powers Act, 1941, with particular reference to the use and unauthorized disclosure of information obtained through such censorship. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with such recommendations as it may deem desirable.

For the purpose of this study and investigation the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed \$1,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The VICE PRESIDENT. Is there objection to the immediate consideration of the resolution?

Mr. WHITE. Mr. President, as I understand, the resolution, which is reported from the Committee to Audit and Control the Contingent Expenses of the Senate, would make available to the Committee on Post Offices and Post Roads funds for the conduct of an investigation voted by that committee.

Mr. HAYDEN. That is correct. The resolution was previously favorably reported to the Senate by the Senator from Tennessee [Mr. McKELLAR] from the Committee on Post Offices and Post Roads.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

#### ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on May



9, 1944, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 156. An act relating to the status of retired judges;

S. 176. An act for the relief of Austin L. Tierney; and

S. J. Res. 77. Joint resolution to establish a Board of Visitors for the United States Merchant Marine Academy.

#### EXECUTIVE REPORTS OF COMMITTEES

As in executive session,  
The following favorable reports of nominations were submitted:

By Mr. BAILEY, from the Committee on Commerce:

Vice Admiral Russell R. Waesche, United States Coast Guard, to be Commandant of the United States Coast Guard, for a term of 4 years from June 14, 1944.

By Mr. GEORGE, from the Committee on Finance:

Sundry officers for promotion in the Regular Corps of the United States Public Health Service.

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

Vice Admiral Aubrey W. Fitch, United States Navy, to be a vice admiral in the Navy, for temporary service, to rank from December 28, 1942.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

#### REPORT OF NOMINATION OF BRIG. GEN. JOSEPH C. MEHAFFEY TO BE GOVERNOR OF THE PANAMA CANAL

Mr. CLARK of Missouri. Mr. President, I ask unanimous consent, as in executive session, from the Committee on Inter-oceanic Canals, to report favorably the nomination of Brig. Gen. Joseph C. Mehafeey, United States Army, to be Governor of the Panama Canal.

The VICE PRESIDENT. As in executive session, and without objection, the nomination will be received and placed on the Executive Calendar.

#### BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SHIPSTEAD:

S. 1909. A bill to give preference to honorably discharged veterans, their widows, and the wives of disabled veterans who themselves are not qualified, in the selection of persons for appointment to governmental positions; to the Committee on Civil Service.

S. 1910. A bill to provide for the presentation of medals to members of the United States Antarctic Expedition of 1939-41 (with an accompanying paper); to the Committee on Naval Affairs.

(Mr. WAGNER (for himself and Mr. WHEELER) introduced Senate bill 1911, which was referred to the Committee on Interstate Commerce, and appears under a separate heading.)

#### AMENDMENT OF RAILROAD RETIREMENT ACT

Mr. WAGNER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill on behalf of the Senator from Montana [Mr. WHEELER] and myself, which deals with the Railroad Retirement Act. In that connection, I desire to have printed in the body of the RECORD a brief statement about the provisions of the bill, and I ask unanimous consent that the state-

ment may be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred and the statement presented by the Senator from New York will be printed in the RECORD.

The bill (S. 1911) to amend the Railroad Retirement Act of 1937, the Railroad Retirement Act of 1935, and the Railroad Unemployment Insurance Act; to repeal subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

The statement submitted by Mr. WAGNER is as follows:

#### BRIEF SUMMARY OF CHANGES EFFECTED BY THE RAILROAD SOCIAL INSURANCE BILL IN THE RAILROAD RETIREMENT AND RAILROAD UNEMPLOYMENT INSURANCE ACTS AND SUBCHAPTER B OF CHAPTER 9 OF THE INTERNAL REVENUE CODE

The railroad social insurance bill consolidates the Railroad Retirement, Railroad Unemployment Insurance, and Carriers Taxing Acts, and the prior service resolution, and amends all of these measures. It is impossible to summarize adequately in brief compass so comprehensive a measure. But in order to indicate their substance, certain of the major changes in existing legislation are here set forth with qualifications and definitions omitted:

##### 1. Coverage:

(a) The Railroad Retirement Board's interpretation of "service in connection" with railroad transportation is made explicit in the bill;

(b) Contractors, independent or otherwise, engaged in operations integrated with those of carriers and susceptible of continuous performance are made employers as are all freight forwarders and hospital associations;

(c) The exclusion of trucking in existing legislation is eliminated;

(d) Railroad subsidiaries which are common carriers by air or water are excluded; and

(e) The authority and rules for segregating employer activities which constitute a minor part of an employing unit are made explicit.

2. Definition of employee: The employment relation provisions in existing legislation are revised to provide that only the following individuals be regarded as having an employment relation:

(i) Employees on bona fide leave of absence on August 29, 1935;

(ii) Employees who have rendered 6 months of service at any time between August 29, 1935, and the enactment of the bill, at least one of which months was before August 29, 1942;

(iii) Employees who because of disability were not recalled, or were unable to return to service after August 29, 1935, or, if they did return, were unable to render the required number of months of service; and

(iv) Employees who as of August 29, 1935, were absent because of a wrongful discharge.

##### 3. Compensation and years of service:

(a) The term "compensation" is expanded to include—

(i) Payments made to an employee by the employer for any absence; and

(ii) Displacement and coordination allowances.

(b) Wages paid before the normal wage report to the Board will be credited as of the date earned, while subsequent payments will be credited as of the date paid unless the employee requests credit as of the date earned;

(c) Compensation for redcaps for periods of service prior to September 1941 will be credited on the basis of average monthly compensation during the 12 months ending August 31, 1941;

(d) Compensation will be creditable to the end of the year rather than to the end of the month in which age 65 is attained;

(e) Compensation is creditable in any calendar year up to \$300 times the number of months of service in the year;

(f) The definition of "years of service" is changed so as to include periods with respect to which payments of the kind described under (a), (b), (c), and (d) were made; and

(g) An employee entitled to credit for service prior to August 29, 1935, may include therein such of it as was rendered to a person not an employer if such service involved the use of standard railroad equipment and was performed by an employer on August 29, 1935.

##### 4. Liberalization of permanent and total disability annuity:

(a) An employee who is permanently and totally disabled for regular employment for hire and who has completed 10 years of service is entitled to an annuity without reduction by reason of being less than 65 years of age;

(b) An employee who has completed 20 years of service or who has attained age 60, who is disabled for his regular occupation, and who, at the time of becoming disabled, is or has recently been connected with the industry, is entitled to an annuity without reduction; and

(c) All reductions in disability annuities, and all compensatory reductions in age annuities payable to persons who have recovered after having been awarded a disability annuity, are eliminated.

5. Minimum annuities: Existing provisions for minimum annuities are eliminated and in place thereof it is specified that employees having 5 years or more of service and who, at the time of retirement, are or recently have been connected with the industry are entitled to receive (i) \$3 per month for each year of service; (ii) \$50; or (iii) the average monthly compensation, whichever of the three is least.

##### 6. Annuities for surviving dependents of employees, annuitants and pensioners:

(a) The surviving wife of an employee or annuitant who prior to death or retirement had been in employment covered by the bill, or title II of the Social Security Act and the bill, for one-half of the completed calendar quarters after 1936 and before death or retirement, or for at least 40 such quarters is entitled to monthly benefits upon attaining age 65, or so long as she has children, under 18, of the deceased in her care. The basic monthly benefit is based upon application of the Social Security formula (40 percent of the first \$50 of average monthly compensation plus 10 percent of the excess over \$50 up to \$375, the sum of the two preceding being increased by 1 percent for each calendar year in which \$200 or more were earned) to the sum of wages under title II of the Social Security Act and one and one-half times the wages under the bill;

(b) Similar benefits are provided for widows of annuitants and pensioners with 10 or more years of service but who do not qualify by reason of no service, or insufficient service, after 1936, the 1-percent increment, however, being omitted;

(c) Monthly benefits are also provided for children, while under 18, of qualified deceased employees and annuitants;

(d) If no widow or child entitled to monthly benefits survives a deceased employee, any surviving dependent parent is entitled to monthly benefits upon attaining age 65;

(e) If no one entitled immediately to monthly benefits survives, a lump sum of

eight times the basic monthly benefit is payable;

(f) The monthly benefit for a widow is three-quarters of the normal monthly amount derived by application of the Social Security formula, and that for a child or parent is one-half the basic monthly benefit; and

(g) Monthly benefits based on the compensation and wages of a single individual may not exceed \$120, or twice the basic monthly benefit, or 80 percent of the average monthly wage, whichever of the three is least.

#### 7. Unemployment Insurance:

(a) The duration of benefits in a single benefit year is increased from 100 to 130 days; that is, from 21 to 27 weeks of continuous unemployment;

(b) Credit for military service is extended for unemployment insurance base year purposes at the rate of \$160 per month; and

(c) Benefits are payable for periods of illness arising from nonoccupational causes (accidental or otherwise) and for periods just preceding and succeeding childbirth at the same rate and for the same number of days as for unemployment.

#### 8. Finances:

(a) Taxes for the support of the railroad retirement system are raised to 5½ percent each on employees and employers up to January 1, 1946; to 6 percent each in 1946-48; and to 6½ percent each in 1949 and thereafter;

(b) Unemployment insurance contributions remain unchanged;

(c) All proceeds of the tax are to go automatically into the railroad retirement account from which annual appropriations are to be made for administrative expenses; and

(d) Taxes and contributions are to be collected by the Board.

#### 9. Administration:

(a) An appeals procedure similar to that now available under the unemployment insurance system is made applicable to all benefits administered by the Board;

(b) Appeals from Board decisions lie to the circuit rather than the district courts; and

(c) The scope of judicial review now prescribed in the Railroad Unemployment Insurance Act is made applicable to all cases in the jurisdiction of the Board.

#### HOUSE BILL REFERRED

The bill (H. R. 4464) to increase the debt limit of the United States, was read twice by its title and referred to the Committee on Finance.

#### EXTENSION OF EMERGENCY PRICE CONTROL ACT—AMENDMENTS

Mr. WHERRY submitted two amendments intended to be proposed by him to the bill (S. 1764) to amend the Emergency Price Control Act of 1942 (Public Law 421, 77th Cong.) as amended by the act of October 2, 1942 (Public Law 729, 77th Cong.), which were referred to the Committee on Banking and Currency and ordered to be printed.

#### RIVER AND HARBOR IMPROVEMENTS—AMENDMENTS

Mr. HAWKES (for himself and Mr. WALSH of New Jersey) submitted two amendments intended to be proposed by them, jointly, to the bill (H. R. 3961) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

#### AGRICULTURAL APPROPRIATIONS—AMENDMENT

Mr. GURNEY submitted an amendment intended to be proposed by him to the bill (H. R. 4443) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1945, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place in the bill insert the following:

"Subsection (b) (2) of section 203 of the Federal Seed Act is amended by adding at the end thereof the following:

"(C) if in quantities of 20,000 pounds or more per lot and each container has stenciled upon it, or bears a label containing, the lot designation: *Provided*, That the invoice pertaining to such seed bears the various statements required for the respective seeds under section 201 (a) and (b): *And provided further*, That the omission of the various statements required under section 201 (a) and (b) on each container, other than the lot designation, is with the previous knowledge and consent of the consignee."

#### RED RIVER OF THE NORTH, MINNESOTA AND NORTH DAKOTA (S. DOC. NO. 193)

Mr. NYE. Mr. President, at the request and suggestion of the chairman of the Committee on Commerce, the distinguished senior Senator from North Carolina [Mr. BAILEY], I present a letter from the Secretary of War transmitting a report dated April 16, 1942, from the Chief of Engineers, United States Army, on a review of reports on the Red River of the North, Minnesota and North Dakota, the project having relationship to flood control on the Park River and its tributaries in North Dakota, and ask unanimous consent for its printing as a document.

The VICE PRESIDENT. Without objection, it is so ordered.

#### HOURS OF DUTY OF POSTAL EMPLOYEES—STATEMENT IN CONNECTION WITH CONFERENCE REPORT

Mr. REED. Mr. President, I ask unanimous consent to present a minority statement relating to the conference report on House bill 2928, to amend the act entitled "An act to fix the hours of duty of postal employees, and for other purposes," approved August 14, 1935, as amended.

The conference report was filed in the Senate last Thursday, and at the time of the meeting of the conferees it was agreed that I should have this opportunity to file a minority statement. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the statement of Mr. REED was ordered to be printed in the RECORD, as follows:

#### MINORITY STATEMENT RELATING TO CONFERENCE REPORT ON H. R. 2928

It is always pleasant to agree with one's associates. May I say, in the beginning, that this is the first time I have failed to sign a conference report. There are compelling reasons why I do not feel able to do so in this instance.

I regret that my first inability to agree with my associate conferees arises with a bill affecting compensation of postal employees.

I served the Post Office Department many years and naturally have a most sympathetic approach to the interests of all postal employees. The reasons which impel my dissent in this case transcend any sentimental attitude toward my past associates.

Consideration of H. R. 2928 by the conferees naturally fell under two headings. The first was overtime; the second was the question of salaries for postmasters.

#### THE THEORY OF OVERTIME

House bill 2928 was primarily a bill to provide overtime payment for various classes of postal employees, including postmasters of the first, second, and third classes, and post-office inspectors. As the bill was passed by the House, it provided overtime for these officials. The Senate amended the bill by striking out overtime payment for postmasters and post-office inspectors. The House refused to concur in the Senate amendment and sent the bill to conference.

I find no fault with a rule that provides compensation based upon hours worked. Such a rule is universal throughout all kinds of business. Once a workweek of a reasonable period is determined as a base, additional time obviously should be paid for.

The fact that provision is made for overtime pay argues a varying period of labor from day to day or week to week on the part of the person who receives the added pay. The established workweek period in the Postal Service is 40 hours, and the fact that overtime payment is provided for service in excess of 40 hours is definitely not to be taken as extending all workweeks to 48 hours. The Post Office Department has emphasized that fact from time to time and has undertaken to restrict overtime payments to such additional hours above 40 as may be found necessary to transact postal business.

It logically follows that the determination of the hours above 40 hours per week to be worked and paid for must be determined by some authority above the person actually performing the work and claiming overtime pay. In the second part of this expression, I shall criticize the Post Office Department, to some extent, for the lack of vigorous administration. But with the principle itself I have no quarrel. If this rule is sound, and I think it is, a man working overtime does not himself determine the extent of the work necessary for which extra pay is to be received.

The Postal Service is made up of some thousands of post offices scattered over the country. Overtime payments are made only in post offices of the first, second, and third classes. There are some 16,907 of these. A postmaster, whose compensation is fixed by law and based entirely upon the volume of business done in second- and third-class offices, and to some extent in offices of the first class, is the agent of the Post Office Department in his particular office and responsible to the Post Office Department for the administration of that office. In other words, he is the executive supervising and directing the work of his office. He is the person who has been designated by the Department to determine the necessity for work above 40 hours per week for the assistant postmaster, clerks, carriers, and other employees of his office. The fact that, to a great extent, postmasters have been derelict in the administration of this duty does not lessen their responsibility.

The postmaster not only determines the time necessary for the various employees of his office to work, but, of course, he determines the application of his own labor. The payment of overtime for employees who work under direction, and according to direction, is universal throughout the business world. Nowhere, so far as I have ever heard, is overtime paid to a man who calculates and computes his own hours of labor. That is a sound



common-sense business rule. Such men are usually called executives or administrators. Postmasters are either or may be both.

There are good, bad, and indifferent postmasters. In my experience I have met hundreds, perhaps thousands of them, and have carried on much official correspondence with them. They average about the same in ability and experience and honesty as does the human race, generally speaking.

To place upon the postmaster the responsibility of determining, not only the overtime necessary for those post-office employees under his supervision, but add to that responsibility the duty of computing his own overtime, which would be the basis of extra pay for him, is neither fair to the postmaster nor to the public service of which he is a part. For some months, it has been reported through the various postmaster organizations that I was the "villain of the piece," that is, the Senator principally responsible for raising some question about the soundness of the policy involved. I have had several hundred letters and telegrams from postmasters all over the country asserting their honesty, integrity, and patriotism. I have questioned none of these things. I have consistently asserted that it is not good practice in either public or private business to place any individual in the position of determining his own pay, based upon a varying number of hours of work he devotes to his job.

I do declare that a substantial majority of postmasters have not carried out the spirit of the law, nor the instructions of the Post Office Department with regard to the overtime provision contained in Public Law No. 509 (H. R. 6759). I shall deal with this more extensively later.

In the consideration of this bill in the Post Offices and Post Roads Committee of the Senate, in the first instance, I took this position and the committee finally concluded to amend the bill, omitting first-, second-, and third-class postmasters from the benefits of overtime payments. I would not undertake to say that all members of the conference accepted this view as necessarily correct, but at least the conferees concluded to drop the idea of paying overtime to postmasters. They handled the pay factor in a different way. I fear that the conferees' method of handling this item is, perhaps, more dangerous, from a standpoint of sound public policy, than the original plan to pay overtime.

#### HOW OVERTIME WORKS

Relatively little overtime in the Postal Establishment was paid prior to the passage of Public Law No. 509 (H. R. 6759), approved March 27, 1942. The workweek of postal employees was fixed at 40 hours. Generally speaking, half holidays on Saturday were granted in first-class post offices and most second-class offices. If the necessary work on Saturday required any employee to work more than 40 hours for that week, he was granted compensatory time off in the following week. (This rule of compensatory time did not apply on the three Saturdays preceding Christmas. Straight overtime could be and was paid for extra Saturday work in that period.)

To meet the unsettlement caused by the breaking out of the war, the Postmaster General, on March 9, 1942, addressed a letter to the Speaker of the House, asking that the law be amended to read as follows:

"That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime for Saturdays in lieu of compensatory time."

This authority was construed to apply to assistant postmasters, clerks, and carriers. Postmasters and post-office inspectors were not included, and received no overtime payment by virtue of this amendment. That

omission is principally the cause of the bill now before us, although the provisions of the bill we are considering goes to other classes of employees, more or less limited in number. I have no objection to the bill so far as these other employees are concerned.

In his letter asking for the passage of H. R. 6759, the Postmaster General said:

"By virtue of the law, most postal field employees, approximately 270,000, may not be compelled to work on a Saturday unless they receive the same amount of time off on some day during the following week. This is 'compensatory time.'"

"The amendment of such legislation \* \* \* would not increase the cost of postal service to the Nation, since the Saturday-employee replacement cost is practically as great, if not greater."

I have quoted from the letter of the Postmaster General to the Speaker of the House. If his words carry the only meaning which I can read out of them, the actual result is far from the estimate of the results by the Postmaster General. I am advised by the First Assistant Postmaster General that overtime payments and estimates in post offices are as stated below:

Fiscal years:

1942.....	\$10,396,420
* 1943.....	61,003,199
1944.....	67,557,000
1945 (estimate).....	69,777,200

\* This figure includes some payments made under S. J. Res. 170. I do not have a basis for separating this sum, but it is relatively unimportant.

These are most astonishing figures. Overtime payments, through the fiscal year 1942, were at the rate of some \$10,000,000. In asking for the passage of H. R. 6759, the Postmaster General said the change "would not increase the cost of postal service to the Nation." Surely, the increase of expenditures from \$10,000,000 to \$67,000,000 in 1944, and an estimate of nearly \$70,000,000 for the fiscal year 1945 calls for a complete explanation before further legislation on this subject is passed.

When H. R. 2928 was before the Senate Post Offices and Post Roads Committee, I raised the question of how the result flowing from the passage of H. R. 6759 compared with the expressed views of the Postmaster General. As a result the bill was referred to a subcommittee, of which Senator HAYDEN, of Arizona, was chairman. The subcommittee authorized me to investigate with the Post Office Department and obtain the best information available on this point. I have done so. I wish to say here that I found the office of the First Assistant Postmaster General most cooperative and helpful. It has been candid and has gone to much trouble to obtain information which was desired for this purpose. I find that from the very beginning of this more liberal overtime-payment rule, the Department has had difficulty in checking waste and extravagance in the various post offices throughout the country. From time to time the First Assistant Postmaster General has issued instructions and has cautioned postmasters about the administration of this more liberal overtime rule. I have been furnished with copies of letters issued to this end. In May 1943 the First Assistant Postmaster General said:

"In those postal units where a 48-hour workweek is not necessary, there may be authorized such hours in excess of 40 per week as the needs of the service require. Under no circumstances may increased postal facilities of any kind be authorized in any branch of the service merely for the purpose of establishing or continuing a workweek in excess of 40 hours."

The results obtained from this warning to postmasters were not satisfactory. On De-

cember 8, 1943, the First Assistant Postmaster General issued another letter. (This was after the Senate committee had called this subject to the attention of the Department.)

"Gross receipts and expenditures for auxiliary hire and overtime, for the September 1943 quarter indicates that some post offices are using more overtime for clerks, carriers, and laborers than is absolutely necessary, and that some offices have increased the hours of these employees to 48 hours a week, whereas previous estimates showed that satisfactory service was being rendered by the use of approximately 44 hours a week. Furthermore, it also appears in numerous instances that supervisors are being paid for overtime on Saturday when they formerly were able to take compensatory time the following week without additional cost to the Department."

"From our study of the estimates and expenditures submitted by postmasters, it is concluded that there is a possibility that the use of overtime is being abused. The percentage of clerical and carrier costs to the gross receipts has increased at many offices."

"The employment of regular employees on a 48-hour-week basis should have resulted in savings in expenditures for auxiliary assistance."

In order to obtain definite information on this point, I asked, on behalf of the subcommittee, that the First Assistant Postmaster General make an inquiry at a number of post offices throughout the country. A comparison was made between the overtime expenditure necessary under the compensatory time rule for the quarter ending March 31, 1942 (the last quarter of operation on the compensatory time basis) and overtime paid regular employees during the quarter ending September 30, 1943. (This was the last full quarter for which figures could be obtained preceding the inquiry.)

The results were startling. Expressed in hours of overtime, overtime service had increased as follows:

#### Selected second-class post offices

Salary of postmaster	Number of post offices	Total number of auxiliary hours used during quarter in granting compensatory time to regulars incident to Saturday service, quarter ending Mar. 31, 1942	Total number of hours overtime paid regular employees for service on Saturday during quarter ending Sept. 30, 1943	Percentage column 4 is of column 3
(1)	(2)	(3)	(4)	(5)
\$3,000.....	41	9,470	26,095	275.55
\$2,900.....	26	6,716	14,076	209.88
\$2,800.....	30	5,515	12,231	221.77
\$2,700.....	27	3,672	10,341	281.61
\$2,600.....	22	4,489	9,720	217.08
\$2,500.....	10	4,020	6,401	159.22
\$2,400.....	19	2,601	5,089	195.05
Total.....	225	37,491	83,953	223.90

This information will give the Senate some understanding of the reason for the issuance by the First Assistant Postmaster General of his warning on December 8, 1943, in which he said that more overtime was being used than "is absolutely necessary" and "there is a possibility that the use of overtime is being abused."

The First Assistant Postmaster General was extremely moderate in his statement that "there is a possibility that the use of overtime is being abused." The reports definitely show that the use of overtime is being abused, and outrageously being abused. The expenditures for overtime in the current fiscal year are stated as \$67,557,000 as against \$10,396,420 in 1942. The estimate for overtime for the next fiscal year is \$69,777,200. These are most

extraordinary increases. If these increases are due to faulty administration, either in the Department, or in the thousands of post offices throughout the country, surely the amounts involved are of sufficient importance to warrant the making of a conclusive investigation without delay.

I call special attention to this statement of the First Assistant Postmaster General in his letter of December 8, 1943:

"The employment of regular employees on a 48-hour-week basis should have resulted in savings in expenditures for auxiliary assistance."

The First Assistant Postmaster General was badly and sadly mistaken in his assumption, or he overestimated the competency of the postmasters administering the thousands of post offices in the country.

In the attempt to find the facts in this situation, the First Assistant Postmaster General sent out 2 sets of questionnaires. The first questionnaire was sent to 10 representative post offices in each State amounting to between 400 and 500 offices. Selection of post offices was made by the Post Office Department. The returns on this questionnaire were not very satisfactory. The questionnaire in itself was cumbersome and did not clearly get the information desired. I take a share of responsibility for this failure because this form was prepared after consultation between representatives of the First Assistant Postmaster General's office and myself.

A second questionnaire was sent out to 225 post offices. The second questionnaire was condensed and secured the precise information desired. It was prepared by the office of the First Assistant Postmaster General, which profited by the first unsatisfactory attempt to secure this information.

I have personally examined the returns from both the first and second questionnaires. I have both in my possession now. From this examination, it is apparent that about 75 percent of the postmasters, to whom these questionnaires were sent, had made no effort whatever to hold the overtime down to actual necessities of the Postal Service.

On the contrary, it is apparent that in something like 75 percent of the cases, the passage of H. R. 6759 was taken as a license to increase the pay for virtually all clerks and carriers, including the assistant postmaster, to the full extent of 8 hours overtime per week. In a quarter there are 13 Saturdays. Questionnaire after questionnaire returned shows the assistant postmaster claiming and being paid for 104 hours of overtime in that quarter which is the maximum possible hours. Somewhat comparable increases of overtime were given to clerks and carriers.

Returns from the 225 second-class offices tabulated above show that 37,941 extra hours were used and paid for during the quarter ending March 31, 1942. The same offices used 83,953 hours in the quarter ending September 30, 1943. During the second period 223.9 percent of overtime hours were used and paid for as compared with the quarter in the previous year.

This is an outrageous and inexcusable failure on the part of postmasters. For example:

One Ohio postmaster, with a salary of \$3,000, in a town of around 5,000 population, covered his situation with 624 hours of "compensatory time" in 1942 with no "overtime" actually paid for. His gross business actually decreased from 1942 to 1943. He used no "compensatory time" in the 1943 quarter, but 858 hours of "overtime" were actually paid for. The operating cost of salaries for himself, assistant postmaster, and his clerks and carriers increased from 63.4 percent of his gross revenue in 1942 to 87.1 percent in 1943. The increase, stated in money, is the difference between \$6,584.79 paid for salaries in the 1942 quarter and \$8,346.99 paid for salaries in the 1943 quarter. This is an increase of \$1,762.20 for this one office in one quarter.

In a year this rate would increase salaries in this office more than \$7,000. I think there are other factors involved in this increase, but, at that, gross extravagance is shown in this post office. On the face of this report this postmaster should be removed.

This increase in expenditure was in the face of an actual decrease in gross business.

This is the worst case I found. However, it is not the only case. Many other cases were bad—some of them nearly as bad as this.

The return of these questionnaires showed that only a minority of the postmasters handled their business in a satisfactory way. The postmasters making unsatisfactory reports are greatly in the majority.

From expressions of the First Assistant Postmaster General, this tremendous increase in cost must be attributed to a lack of proper supervision and careful administration by postmasters of the several thousand post offices affected. This is a situation that calls for immediate and thorough investigation by the Postmaster General. Failing such immediate investigation and remedy of this extravagance and waste, the Senate Committee on Post Offices and Post Roads should take cognizance of this whole situation and institute an inquiry.

To obtain these facts, expressed in figures, required a considerable amount of work on the part of the Post Office Department, as well as myself. I tried to bring the results to the attention of the conferees. I found that we are primarily legislators, who find it difficult to give the time and effort necessary to examine and understand a situation such as this.

#### POSTAL EMPLOYEES "BONUS"

Before reaching the question of postmasters' salaries, it is necessary to consider the effect of the operation of Public Law 25 (H. R. 1366), approved April 9, 1943. This passed the House of Representatives on March 15, 1943. (The debate will be found on pp. 2035 to 2047, inclusive, of the CONGRESSIONAL RECORD.)

In opening the debate, Mr. BURCH of Virginia, chairman of the House Post Office and Post Roads Committee, said:

"The increase which this bill provides conforms to the Little Steel formula. The average salary paid postal employees is about \$2,000 per annum. The average salary paid R. F. D. carriers is between \$2,000 and \$2,100 per annum. \* \* \* Something has been said about the cost of this bill. I state to you gentlemen here and now that this bill is worked out so that it practically conforms to the Little Steel formula."

House bill 1366 provided a payment of \$300 per annum, for the duration of the war and 6 months thereafter, to all officers and employees of the Post Office Department in the field services, who were paid on an annual-salary basis. For employees on a piece-work or hourly basis, an increase of 15 percent in their compensation was provided. The clerk-hire allowance for third-class postmasters was increased 15 percent. Provision was made that in no case the increase in compensation or allowance should exceed \$300 per annum.

This bill was a recognition of the increase in living costs during the war period and applied to all officers and employees alike. The increase in cost of living is substantially as great to the lowest-paid employee as to the highest-paid official. The passage of this bill was almost unanimous in the House and was unanimous in the Senate.

Chairman BURCH of Virginia estimated that the effect of this bill would be to increase Postal Service operating costs \$88,688,000. The latest estimate, furnished me by the Post Office Department, states the increase in cost, due to this law, as \$93,927,268 for the fiscal year 1944, and \$95,081,687 for the fiscal year 1945. I think that action of the Congress in this regard was only a fair provision for in-

creased living costs of postal officers and employees.

#### POSTMASTERS' SALARIES

We now come to the question of postmasters' salaries. I asked the First Assistant Postmaster General to give me an estimate of the effect of the proposal by the majority of the conferees on postal expenses. This is stated as follows:

Increase over present salary	
\$1,100 to \$2,000, 20 percent.....	\$2,885,800
Over \$2,000 to \$4,000, 15 percent..	3,038,100
Over \$4,000 to \$5,000, 10 percent..	59,210
Over \$5,000 to under \$7,900, 5 percent.....	29,100
Total .....	6,012,210

No increase in salary of postmasters is authorized where the salary is \$8,000 per annum or above.

I do not doubt the authority of Congress to increase the salaries of postmasters if it so desires. I most emphatically question the wisdom of doing so under all the circumstances. I shall discuss these circumstances.

Generally, the reasons given for increasing compensation to postmasters may be stated as:

A. Increase in their work and responsibilities.

B. Increase in living costs.

C. To some extent, increases in compensation, through payment of overtime, have raised the pay of assistant postmasters and clerks to a higher figure than the salary of the postmaster.

It may be fairly said that, probably, the latter factor has been urged more vigorously by postmasters than any other. I shall discuss these in the order stated.

A. There is no doubt that the work of postmasters has been increased through the addition of nonpostal activities that are being carried on through post offices for the war effort. This is an indeterminate factor, and it is exceedingly hard to appraise its weight and effect. In dealing with this factor it should be recognized that in every community, draft boards, rationing boards, and various other boards and committees are functioning in connection with the war effort. Largely, the work of these boards is being carried on by citizens volunteering to serve without compensation. Every Member of Congress has personal knowledge of these boards and their personnel. In many instances the work of these boards takes a substantial part of the time of a citizen who serves without compensation.

I do not think that the average burden imposed upon the postmaster, because of added nonpostal activities, is any greater than the average duties carried by citizens of his community without compensation. If the Congress is going to increase postmasters' salaries because of this factor, it ought to make provision for every other citizen serving on draft boards, rationing boards, war boards, U. S. O., O. C. D., Red Cross, and a myriad of like activities. Certainly, in this proposal we are discriminating against a multitude of our fellow citizens who give their time to the war effort without any form of money compensation.

B. When we come to the second factor, increase in living costs, it should be recognized that the bonus of \$300 per annum allowed to every officer and employee of the Postal Service was intended to take care of this factor. Surley, we are not going to start to make exceptions of postmasters and accord them special treatment.

In this connection, it might be remembered that there is such a thing as a hold-the-line Executive order. That order is based upon the increase in living costs which have occurred since January 1, 1941. The Little Steel formula holds all wage and salary increases to a 15-percent basis.



There is a further factor in this dimension. Employers in private business are not allowed to raise salaries or wages of their employees without permission from the War Labor Board. This rule applies to individuals as well as groups. It has been the cause of much embarrassment to many employers. It is true that the War Labor Board grants permission to raise wages and salaries where justification is shown. Such permission is usually granted to meet the stern necessities of employers in their effort to retain employees as against the higher wages offered in war industries. Permission is also granted by the War Labor Board to correct gross inequities.

There is nothing in the record to indicate that postmasters are entitled to be placed in either of these classifications. If the Congress comes along and increases the salaries of postmasters, principally upon the basis that they want the money, it may be more difficult for the War Labor Board and the Economic Stabilization Director to hold the line.

Personally, I can conceive of no circumstance in the present situation that justifies the Congress in making postmasters a preferred class as against the very numerous classes of citizens who do not share the joys of public office. With all respect for my colleagues of the conference committee, I think they are treading on dangerous ground in what they propose to do in this instance.

C. We all have had pressure from the highly organized employees of the Post Office Department, both individually and through their organizations. Because of my peculiar relation to this question, I think it possible that I have had much more pressure, particularly from individual postmasters and postmaster organizations, than have my colleagues. Much is made of the claim that the assistant postmaster and other subordinates are now receiving higher compensation than the postmaster himself.

This is true to some extent, but the facts are grossly exaggerated. Senator HAYDEN, from the Senate Committee on Post Offices and Post Roads, carried on an inquiry with the Post Office Department covering this phase. His report was printed as Report No. 788, Calendar No. 795, Seventy-eighth Congress, first session. I commend my colleagues of the conference to a careful reading of that report. It was found that there were some cases of the kind—mainly in second-class offices. Even in those cases, the excess of salary for the assistant postmaster, or any clerk, over the postmaster's salary, was insignificant. About 90 percent of the pressure exerted to secure my agreement to including overtime for postmasters in H. R. 2928 was because of this detail.

There is another factor to be considered. Any excess of compensation for subordinates, above the postmaster's compensation, is due in every case to the payment of overtime. This overtime payment could not be made except by the approval of the postmaster. It, perhaps, would not be accurate to say that postmasters approved these overtime payments for their subordinates in the post office for the purpose of making a *prima facie* showing for an increase in salary for themselves. But, at least it had that effect, and postmasters have certainly pressed, at least with me, that factor to the utmost limit.

However, I want to go to the broader question of the responsibility of postmasters to the Post Office Department, and to the public, in their capacity as the executives administering these thousands of post offices scattered all over the land. Without doubt or hesitation, I state that:

"They have grossly failed to discharge this responsibility. No person with any degree of understanding can consider the information furnished by the First Assistant Postmaster General and read his statement that

"the use of overtime is being abused," without realizing that here is an important matter entitled to serious and immediate consideration in the public interest. Whatever of abuse and extravagance appears in the administration of this overtime authority, is directly chargeable to the postmasters."

We now come to the astounding proposal to reward public officers, who have been negligent and derelict in their duty, with an increase in salary. It is hard to conceive anything more absurd than this proposition. The waste of public money is indicated, on the reports available, at around \$60,000,000 annually. These reports are not as comprehensive as I wish they were. It is entirely possible that reasons other than overtime may be found for a part of this expenditure. I think it is likely that such is the case.

However, no matter what offsetting factor may be found, that will not change the fact that negligence, or incompetency of postmasters, is causing a needless expenditure of public money to be measured in the scores of millions of dollars. Whether that be twenty million, or forty million, or sixty million, is important but not the only important point. The most important thing is that public officers, who have failed in their duty, should be punished and not rewarded.

It is my belief that an immediate and thorough investigation of all the factors discussed herein should be instituted by the Postmaster General and carried through to as early a conclusion as possible. It is my further belief that, pending the result of such an investigation, this legislation should be held in abeyance. It is my quite definite belief that a thorough investigation by the Postmaster General will find negligence and incompetency to an extent that will justify the removal of hundreds, and perhaps thousands of postmasters now holding office. That they should be rewarded for negligence is, to me, fantastic.

#### POST-OFFICE INSPECTORS

I served many years in the Post Office Department. I was always in the transportation end of postal work, but over the years, I had full and complete opportunities to witness the work of post-office inspectors.

The post-office inspectors are as fine a body of public servants as can be found anywhere. To me, they compare favorably with the F. B. I., Secret Service of the Treasury Department, the Intelligence Division of the Bureau of Internal Revenue, and other similar organizations. They are mostly highly trained, competent, and earnest men. To consider, for a moment, placing a group of men like this on a basis of punching a clock when they go on duty and come off duty, and paying them overtime is ridiculous, and tends to lower the respect in which this body of men is held by their associates in the Postal Service and by the public generally.

If the post-office inspectors are not paid adequate salaries, I stand ready to vote for an increase in their salaries whenever a proper foundation is provided. I feel, very strongly, that an injustice is being done to the postal inspectors, as a body, and to the postal-inspection service, by the proposal here considered. It cheapens them and lowers their prestige in discharging their duties—which is important.

#### CONCLUSION

Out of a long life of much experience with public service, both National and State, I want to say that I believe the Post Office Department of the United States of America is as efficient a functioning public agency as can be found anywhere in any land. To me, it is easily superior, as a business organization, to any other department of the Government. Nothing that I have said herein is to be taken as indicating any serious impairment of efficiency in the Post Office Department. I do think the Depart-

ment is open to criticism for lack of vigorous administration upon this particular point. That doesn't lessen the esteem and respect which I hold for the responsible officers of the Post Office Department, nor the admiration I have for the service rendered by the vast body of postal employees.

What I am trying to do is make the Post Office Department more efficient; to reward competency, and to punish and discourage incompetency and waste. This is my only purpose.

CLYDE M. REED.

#### THE ST. LAWRENCE SEAWAY AND POWER PROJECT—ADDRESS BY FRED J. FREESTONE

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an address on the subject of the St. Lawrence seaway and power project, by Fred J. Freestone, delivered at Watertown, N. Y., May 5, 1944, under the auspices of the Watertown Building and Construction Trades Council, which appears in the Appendix.]

#### MEXICANS IN THE WAR—ARTICLE BY SELDEN MENEFEE

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an article entitled "Mexicans in the War," by Selden Menefee, from the Washington Post, which appears in the Appendix.]

#### THE LATE MOINA MICHAEL, FOUNDER OF POPPY DAY—ARTICLE FROM THE NEW YORK TIMES

[Mr. RUSSELL asked and obtained leave to have printed in the RECORD an article regarding the late Miss Moira Michael, originator of Poppy Day, published in the New York Times of May 11, 1944, which appears in the Appendix.]

#### BRITISH AIR POLICY—ARTICLE FROM NEW YORK TIMES

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an article entitled "British Air Policy in Line With Ours," and two attached statements, published in the New York Times of May 11, 1944, which appear in the Appendix.]

#### MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

#### REPORT OF RAILROAD RETIREMENT BOARD, 1943

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Interstate Commerce:

#### To the Congress of the United States:

In compliance with the provisions of section 10 (b) (4) of the Railroad Retirement Act, approved June 24, 1937, and of section 12 (1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I transmit herewith for the information of the Congress the report of the Railroad Retirement Board for the fiscal year ended June 30, 1943, including an estimate of the liabilities created by the Railroad Retirement Acts of 1935 and 1937 as required by subsection (d) of section 15 of the Railroad Retirement Act of 1937.

FRANKLIN D. ROOSEVELT.  
THE WHITE HOUSE, May 11, 1944.

# FOREIGN DECORATIONS, ETC., TENDERED TO RETIRED OFFICERS OR EMPLOYEES OF THE UNITED STATES

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

*To the Congress of the United States of America:*

I am forwarding, for the consideration of the Congress, a communication from the Secretary of State transmitting a list of those retired officers or employees of the United States for whom the Department of State, under the provisions of the act of January 31, 1881 (U. S. C., title 5, sec. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments. The list has been divided into two parts (1) those countries which are cobelligerent or friendly nations and (2) enemy countries. It is believed that the Congress may wish to consider a joint resolution suspending the operation of Public Resolution No. 52 of June 27, 1934, until such time as the international situation would permit wholly objective consideration of such matters, or to consider granting legislation at this time to permit only of distributions of decorations, etc., to the recipients intended by friendly governments.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, May 11, 1944.

[Enclosures: (1) From the Secretary of State; (2) list.]

## THE POLL TAX

The Senate resumed the consideration of the bill (H. R. 7) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election of national officers.

Mr. CONNALLY. Mr. President, the Baltimore Sun, which is an outstanding journal not only from the standpoint of publishing the news, but because of its attitude on constitutional and public questions, on the 10th of May, in its editorial columns, carried a very informative and illuminating editorial entitled "Up to the States." I ask unanimous consent that the editorial be printed in the body of the RECORD, at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

### UP TO THE STATES

The question on the anti-poll-tax bill, on which debate began yesterday in the Senate, is not whether the poll tax should be discarded as a prerequisite of voting in the eight Southern States where it is still retained. The question is rather whether the Federal Government should assume control of the franchise and by act of Congress override State constitutions and State laws dealing with this matter.

Under our Federal Constitution, these matters are patently under State control. Paragraph 1 of section 1, article I, says that in voting for Members of the House of Representatives "electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature." The seventeenth amendment,

which provides for popular election of Senators, says that "the electors for Senator in each State shall have the qualifications requisite for the electors of the most numerous branch of the State legislatures."

What the anti-poll-tax bill proposes to do is to override these stipulations in the fundamental law. The demerits of the poll tax are many and glaring. The more quickly the States which use such taxes as limitations on the suffrage abandon such restrictions, the better. The decision, however, is one for the States to make. For Congress to step in and legislate on such matters is contrary not only to the letter of the Constitution, but also to the good health of our Federal system, under which unity is best achieved, if the Federal authorities have careful regard for the sensibilities and the laws of the States.

Mr. MEAD. Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "The Poll Tax Is Opposed." The article was written by Jennings Perry, editor of the Nashville Tennessean.

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be inserted in the RECORD, as follows:

### POLL TAX IS OPPOSED—THOSE WHO FAVOR RETENTION HELD UNREPRESENTATIVE OF SOUTH

TO THE EDITOR OF THE NEW YORK TIMES:

Allow me to protest the injustice done the South in C. P. Trussell's report from Washington on the poll-tax issue in the Times of April 16. The injustice is quite too commonplace in the press generally and results from the readiness of correspondents—and of editorial writers—to accept the voices of some southern Congressmen, particularly Senators, as the voice of the South.

The point is pertinent to the poll-tax issue, and should be considered here, that none of these gentlemen ever in his life faced a free electorate and that all of them are in Congress by the votes of only a minor fraction of the people they are supposed to represent.

I note that Mr. Trussell is at some pains to credit the expressions he reports to southern groups and to southern Senators. But I note also that he slips easily, as seems to have become customary, into the next error of quoting the southerners themselves and of allowing their expressions to paint, without condition, the mood of the South.

### PROPOSED BY CALIFORNIAN

May I recall that the first anti-poll-tax legislation, from which the present bill directly derives, was introduced in the House by the late Lee Geyer, of California, at the solicitation of the Southern Conference for Human Welfare, and that the second anti-poll-tax bill was introduced and ardently fought for by Senator CLAUDE PEPPER, of Florida.

May I point out also that this initiative was taken in behalf of millions of southerners, white and black, who no longer have a part in the affairs of their States and Nation, and hence cannot make known their desires or will in the legislative halls. And since the politically voiceless in the South far outnumber those in the South who still manage to exercise the suffrage, it is unfair to them—and to fact—to assume that what a handful of Senators and some others who have no commission from the masses of the people choose to declare reflects "the mood of the South" toward the poll tax, or any other political issue.

In the only Southern State in which the disfranchised have been able to find a voice—Tennessee—repeal of the poll tax by overwhelming vote in the legislature has been compelled, and the fact that the State su-

preme court, by a 3 to 2 ruling—described in the stinging dissent of Associate Justice Neil as "unknown in the history of English or American jurisprudence"—has held that the legislature could not repeal its own poll-tax act does not mean that the will of the people still is not hard against the abomination, or that the common people of Tennessee are not looking with hope to the Congress for the restoration of their undoubted right to an unfettered suffrage.

### DETERMINING FACTOR

Mr. Trussell states that "stanchest supporters of the anti-poll-tax legislation concede that this levy is not necessarily a controlling factor in decisions made at polling places whether a Negro shall or shall not cast a ballot." You hear this exculpation of the vote tax so often from the supporters of the poll tax that you become sick of it. The poll tax is the actual instrument of disfranchisement of millions of citizens in these Southern States, and this disfranchisement has left starveling electorates in which the decisions actually are made by still smaller groups of voters organized by the machines of political bosses or built up by the Senators themselves.

This newspaper made, 2 years ago, a comparison of the votes in Presidential elections in Tennessee and Kentucky over a period of years. These States have equal populations, closely akin in every way. In the past 70 years both States have voted Democratic in all Presidential elections save two.

But Kentucky has no poll tax. The effect of the incidence of the poll tax in Tennessee in 1890 is vividly shown in this survey. As one of the stanchest supporters of anti-poll-tax legislation, this newspaper certainly does not concede that "this levy is not necessarily a controlling factor in decisions made at polling places." It is without question the determining factor in the whole political life of the South.

### CONTROL OF ELECTORATES

Again I could ask that it be remembered that the southern Senators who will filibuster against Federal legislation that would enable the masses of the South to vote for President and Vice President and for Representatives in the National Legislature are fighting neither for States' rights nor for white supremacy, but for their own special privilege of running before drastically restricted electorates they know how to control.

Nor is it that they necessarily are afraid of the votes of those now advocating repeal of the poll tax; but rather that they are afraid of democracy, afraid of their fate at the hands of the whole people, who should have back of their scepter of sovereignty—which of a right is without question theirs—the ballot.

And once more, for the sake of reportorial accuracy, may I caution against easy acceptance of the views of a few magnolia-scented Senators as the view of the South. The South will be able to make known its view only when it shall have regained its voice at the polls.

JENNINGS PERRY.

Editor, the Nashville Tennessean.  
NASHVILLE, TENN., May 4, 1944.

Mr. McKELLAR. Mr. President, let me ask the Senator from New York, is Mr. Perry the head of the political organization which is advocating the pending poll-tax bill?

Mr. MEAD. I think he is.

Mr. McKELLAR. Is he present in Washington lobbying for the bill?

Mr. MEAD. I really do not know.

Mr. McKELLAR. Does the Senator know whether Mr. Perry is a Communist, or what political affiliation he has?

Mr. MEAD. He being a Tennessean, I would not be apt to know. I imagine he is a Democrat.



Mr. McKELLAR. The Senator not only has great optimism, as he showed yesterday, but he has wonderful imagination, as the Senator from South Carolina [Mr. SMITH] remarks in an aside, if he thinks Mr. Perry is a Democrat. I do not know Mr. Perry, but as I understand, he has been affiliated with the Communist Party for a number of years, and, as I understand further, the National Committee To Abolish the Poll Tax is a Communist organization, largely built up in New York, and they have elected Mr. Perry their president because he is supposed to be for their views, and because he is a Communist, and not because he represents the South.

I have read the articles which the Senator is submitting, in which Mr. Perry has set forth his views, and denounced southern Senators. I wish to say that Mr. Perry does not represent the people of Tennessee, nor the people of the South, respecting the question of the poll tax, but that he is merely acting as the head of a Communist committee, and being used by that committee because he happened to have been born in the South.

Mr. MEAD. Mr. President, after the Senator from Tennessee brought this matter up yesterday I took occasion to make an investigation as to those who were associated with the organization for the repeal of the poll tax. I will have all that information, I hope, late today. I can say, judging by the ones from whom I have already heard, that those connected with the organization form one of the most representative groups that have ever come to my attention.

Mr. McKELLAR. I have their names, and I am going to give their names to the Senate a little later. As to their being a representative group, the people of the United States can pass upon the question, or the Senate can pass upon it. I have that information and will furnish the names. I wish to say that if my information is correct—and the Senator did not answer the question on that point directly yesterday—the same group, possibly with Mr. Perry as its head, has been infesting the Senator's office for several days trying to urge the Senator to make greater speed in passing the pending measure, which most people know to be unconstitutional, and which will be void if it is passed.

Mr. MEAD. I do not believe I have ever met Mr. Perry. He has never spoken to me about the bill. But after what occurred yesterday I made a real effort to become familiar with the people who are associated together in this organization. I received a telegram this morning, which as yet I have not had a chance to answer; but judging from the telegram, I think the Senator from Tennessee and Mr. Perry should get together. The Senator charges Mr. Perry with being a Communist, and Mr. Perry in closing his telegram says:

I think the Senator is a Communist.

Mr. McKELLAR. Oh! Well, I have been accused of many things in my life, but I do not believe I have ever before been accused of being a Communist.

Mr. MEAD. I think the Senator and Mr. Perry both are Tennessee Democrats and ought to get together.

Mr. McKELLAR. I will explain to the Senator that on the 13th of May we Democrats had a Jefferson Day banquet in Nashville, Tenn., to raise funds for the campaign. The banquet cost \$25 a plate. Neither Mr. Jennings Perry nor Mr. Silliman Evans, who is his employer, had \$25 worth of democracy in them, because neither one attended the dinner, and the next day the meeting was ridiculed and denounced in the columns of the newspaper of which Mr. Jennings Perry is the editor. When the Senator says he believes Mr. Perry is a Democrat he must know—

Mr. MEAD. No; I said I thought he was.

Mr. McKELLAR. That Mr. Perry does not have the remotest idea of democracy, and is a Communist editor of a Communist newspaper owned by another Communist from the State of Texas.

Mr. MEAD. I simply said I thought he was a Democrat, being a Tennessean, but perhaps the reason he was not at that dinner is—

Mr. McKELLAR. Not all Tennesseans are Democrats, I will say to the Senator.

Mr. MEAD. Perhaps the reason he was not at that dinner is that he did not have the money. Many do not have the money to pay the poll tax. Perhaps Mr. Perry did not have the money to go to the dinner.

Mr. McKELLAR. The Senator may think that is a defense, but the Tennessean is one of the most prosperous newspapers in the State of Tennessee, and is operated as a Communist newspaper under the false slogan that it is a Democratic paper. It is not a Democratic newspaper, and has not been a Democratic newspaper under its present ownership and under its present editorship. It is a Communist newspaper, pure and simple, fighting the democracy of the State of Tennessee and of the Nation.

Mr. MEAD. The Senator's statement is very revealing, because a very few years ago the Texas delegation recommended the appointment to a high position in the Postal Service of the man who is now the editor of that newspaper.

Mr. McKELLAR. Yes; and he was afterward discharged by a Democratic administration.

Mr. MEAD. No; it occurs to me that he resigned.

Mr. McKELLAR. Well, it was under compulsion.

Mr. BANKHEAD. Mr. President, I have no illusions about my ability at this time to change the views of any Member of this body on the pending question. However, I feel so intensely interested in it, and my convictions are so strong in opposition to this attempted invasion of my State, that I wish at least to make some contribution which possibly may be helpful to others when another program like the present one is presented in resisting and defeating it.

Yesterday a good deal was said about the authorship of the pending bill. It was directly charged by Senators on the floor of the Senate that a man by the name of VITO MARCANTONIO, of New York,

was the author of the bill. The junior Senator from New York [Mr. MEAD] apparently did not want him to have that position, so he insisted that three or four Representatives from the State of New York had introduced the bill. He failed to state an important factor, which is that each of the Representatives introducing the bill mentioned by him did so separately, not in combination or in conjunction with Representative MARCANTONIO. Yesterday I telephoned the Clerk of the House of Representatives, and was informed that Mr. MARCANTONIO was the first one to introduce the bill. There were others who subsequently introduced similar bills, I assume, because the bills appeared to be the same, so the junior Senator from New York stated. I assume that other Members of the House of Representatives—and they were chiefly from the State of New York—wished to follow the leadership of Mr. MARCANTONIO, so they proceeded to obtain copies of his bill and introduced it in their own names.

A little later this same Member of the House of Representatives, who is neither a Democrat nor a Republican—in fact, I do not know what his politics may be—Mr. MARCANTONIO, filed a petition with the Clerk of the House of Representatives to require the committee, under the House rules, to report the bill. When he obtained a sufficient number of signers to the petition of discharge, he made a motion to discharge the Rules Committee and to send the bill to the calendar.

The result of that situation is that it is clearly shown that Mr. MARCANTONIO—and I am not criticizing him; he had the right to do what he did—is the leader of this program, this bill, this measure, this assault, as we call it, upon the Constitution of our country. The thing that is surprising to me is that he found so many men who would follow his leadership on a constitutional question.

Mr. President, it is apparent from a cursory examination of the pending bill that it was not prepared by a skillful lawyer, that its contents did not have very careful or serious consideration by those who are familiar with our Constitution and the history of our country. Why do I say that? Members of the Senate have copies of the bill before them. It begins with the statement—

That the requirement that a poll tax be paid as a prerequisite to voting or registering to vote at primaries or other elections for President, Vice President.

Whoever heard of the voters voting for a President or a Vice President? The bill presupposes that the names of candidates for President and Vice President will be placed on the ballots, and provides that the payment of a poll tax shall not be required as a prerequisite to voting for the candidates for President or Vice President. Then the bill proceeds as follows:

Electors for President or Vice President—

That is all right. Of course, we vote for electors for President and Vice President. Then the bill says:

Or the Senator—

What Senator does the author of the pending bill mean? There may be two

Senators to be elected in the same election, by virtue of a vacancy and by virtue of the expiration of a term. But the author of the bill, evidently without skill either as a lawyer or as a statesman in matters of this kind, provided—

Or the Senator—

Not "a Senator"—

or Member of the House of Representatives, is not and shall not be deemed a qualification of voters or electors voting or registering to vote at the primaries or other elections for said officers—

Of course, they are officers—

within the meaning of the Constitution, but is and shall be deemed an interference with the manner—

The payment of a poll tax is to be regarded as an interference with the manner, which, of course, means mode, procedure, or practice—

of holding primaries and other elections for said national officers.

Mr. President, a Presidential elector is not a national officer. But it is so provided in this strange bill, which proposes a fundamental change in the whole procedure of Federal elections for President, Vice President, and Members of Congress.

I stated that a Presidential elector is not a national officer. I shall read from the opinion in the case of *In re Green*, in One Hundred and Thirty-fourth United States Reports, page 377, although I shall not read the entire opinion:

The sole function of the Presidential electors is to cast, certify, and transmit the vote of the State for President and Vice President of the Nation. Although the electors are appointed and act under and pursuant to the Constitution of the United States, they are no more officers or agents of the United States than are the members of the State legislatures when acting as electors of Federal Senators—

The opinion was written before the constitutional amendment providing for the direct election of Senators was ratified by the States—

or the people of the States when acting as electors of Representatives in Congress. Constitution, article I, sections 2 and 3.

Long ago it was adjudicated that Presidential electors were not Federal officials or agents. We know that under the Constitution the States are given the power to choose, select, or appoint electors to serve in the electoral college for the election of President and Vice President; and the Constitution specifically provides that those electors may be selected in any way the State sees fit to select them. They may be elected or appointed.

Many Members in both Houses of Congress are following this great leader, Mr. MARCANTONIO. They have accepted the bill blindly. They have accepted his leadership blindly, without consideration of the provisions of the bill which they are accepting and for which they contemplate voting. The bill defines and describes a Presidential elector as a Federal official, when that office is specifically defined in the Constitution as a State office. The Supreme Court has

held that an elector is purely a State official, and not a Federal official.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. MILLIKIN. Let me take the liberty of reminding the distinguished Senator that for many years the legislatures selected the electors. The selection of electors was not done by popular vote at all.

Mr. BANKHEAD. That is true.

Mr. MILLIKIN. Under the Constitution, the complete power was in the State legislature.

Mr. BANKHEAD. Undoubtedly. I am glad to have the Senator remind me of the history behind that subject. The legality of the procedure has stood from the foundation of our Constitution. As pointed out by the able Senator, the State has always had the right, in its own way, to elect or choose its Presidential electors.

Mr. MILLIKIN. If the Senator will further yield, let me say that I know of no reason why the State legislatures could not continue to appoint the electors if the States should see fit to have them chosen in that way.

Mr. BANKHEAD. That is true. Under the Constitution, the States have the absolute, unlimited power to choose electors in any way they deem proper.

I invite attention to the fact that even the authors of the bill recognized that Congress had no power under the Constitution to change, add to, or subtract from, any of the qualifications for voters prescribed by the State constitution or State laws. Why do they recognize that fact? Because they make the bill apply only to the election of President and Vice President—erroneously—to electors for President or Vice President—and electors are not Federal officers—or for Senator or Member of the House of Representatives.

There is a very inept description of Senators, because the bill says "Senator." If we construe that to mean Senators, making the singular mean the plural, which we would not ordinarily do in construing language as specific as this, then the bill applies only to the election of Members of Congress, who are Federal officials. The President and the Vice President cannot be voted for, so they must go out of the picture. As I have just pointed out, according to a decision of the Supreme Court, Presidential electors are not Federal officers. So there is nothing left for the bill to apply to except "Senator or Member of the House of Representatives."

I do not question the good faith of Senators who are supporting the Marcantonio proposal. However, I doubt if they wish to pass a bill full of legal errors, full of confusion and uncertainty. It can have no application except to Members of the two Houses, thereby bringing about an unintentional deception. The supporters of the bill outside Congress—the Association for the Advancement of Colored People, and the organization of the C. I. O., which are the principal supporters of this program—would be exceedingly disappoint-

ed if they should succeed in having the bill passed, and then find that, through error, misjudgment, and misunderstanding of the Constitution, their program was limited only to Members of Congress.

In any event, the proponents of the bill recognize that Congress has no power to fix the qualifications of voters for State officials. They recognize that fact by leaving out of the bill all State officials except electors, who are included by mistake. The bill does not include Governors of States. It does not include any State or county officials. We have a dual system of government in this country, with the Federal Government on the one hand and the State and local governments on the other, constituting two elements or prongs of this instrument.

What are we to do if we pass the bill? The names of candidates for Congress cannot be placed on the same ballot with the names of candidates for State and local offices. The States may continue their poll-tax qualifications just as they are, except with respect to voters for candidates for the two branches of Congress, as specified in the bill. When the voter goes to the polling place and calls for a ballot, he cannot vote for State officials on the same ballot with Federal officials, because certainly in all the States where the poll tax is retained, the qualifications of voters will be entirely different. So a situation will be encountered which will necessarily call for two elections, whether on the same day or different days. The names of candidates for Federal offices and the names of candidates for State offices cannot be placed on the same ballot. What are we to do? Are we to have two separate ballot boxes, two registration lists, two sets of managers in the election, and two returning officers? As a common-sense, practical proposition, I do not see how we can do anything else.

It is certain that such a confused situation was never contemplated by the leader of this movement, or by any of his intelligent followers. Evidently they have blindly accepted his leadership, and are now being led into the darkest of constitutional and legal alleys.

Of course, if this bill should become law, and the Federal Government did not wish to continue a situation which would lead to all kinds of confusion in the matter of different qualifications of voters in voting for candidates for other than Federal offices, it would be obliged either to separate the dates for holding elections or the States would doubtless have to do so. Before the eight States now having poll-tax laws would permit Congress to violate the deep and fundamental convictions now existing with reference to qualifications of their voters, they would do what Maine has always done, namely, simply designate a separate and distinct day for the holding of their State elections. Then where would our colored people be? What benefit would they receive under the Marcantonio law? If we held separate elections, they would have to be registered as legal voters under our State law.



They could not vote in the Federal elections unless they were also registered as qualified voters under the State law. If they could do otherwise, there would be no need for the Marcantonio bill.

Mr. President, it is unfortunate that people not living in the South do not realize and understand the situation existing in the South with reference to the white and colored races. I submit that very few Members of this body have received any letters or requests from the good colored people of the South asking them to vote for the proposed Marcantonio legislation. Our colored people are satisfied with the election situation as it now exists. Many of them have registered in order to vote. As time passes, it is my humble opinion that more and more colored people will register. I think the matter is one of progress, as it was in connection with the antilynching fight. Year after year during that period there were starry-eyed reformers who, in an unconstitutional way, we insisted, tried to punish southern officials who endeavored to do their duty in murder cases involving colored persons. Finally, as time went on, and as Negroes emerged from a state of barbarism and entered into a state of education and civilization, the horrible crime of lynching in the South disappeared almost entirely.

Mr. President, many of the northern people make a mistake in their thought upon this subject. The mistake is often made by persons of good and sincere intentions. I am not talking about the Marcantonio group. There are many who will realize that this fight is not for the benefit of southern people. Those people can pay their poll tax. Of what significance is the \$1.50 which is charged in Alabama? A very prominent merchant in Alabama who was in my office only a few days ago, told me that it was a very common occurrence for colored men to come into his store and spend from \$150 to \$200 at a time. He told me that he had plead with them to save their money and buy bonds. Oh, no, Mr. President, they want to spend their money now.

Yet there is a group of reformers who think that those men who are working in Government plants and receiving from \$8 to \$10 a day are unable to eliminate from their purchases one Coca-Cola a day for 30 days, and pay their poll tax. Their pockets are full of money. They are not worrying about the payment of their poll tax. If they paid their poll tax, I submit that it would not necessarily get them on the list of legal voters. So if the pending bill shall be passed, it will not make those persons qualified voters. Something must follow besides the payment of the poll tax. Those persons must possess other qualifications, such as being able to read and write, and read the Constitution in the English language. That requirement, I believe, was established by the great State of Massachusetts. It is still in the law of Massachusetts. I have in my office a pamphlet showing the qualifications for voting required in the different States. A voter in Massachusetts must be literate. He must understand

the Constitution in the English language. I recognize that if that requirement were applied to those residing in Mr. MARCANTONIO'S State there would be a very substantial reduction in the number of legal voters in New York City. The problem is possibly peculiar to the city of New York.

Mr. President, some time ago a similar bill was introduced in the House of Representatives by a member of Tammany Hall, and also in the Senate by a member of Tammany Hall. I do not know why someone in the city of New York became so intensely interested in the qualifications of voters in the Southern States. I have also in mind another man who is a Tammanyite. No, on second thought, from what I hear about his politics, I do not believe that Tammany would have him. He is a labor man. He does not subscribe to Democratic doctrine, and does not vote the Democratic ticket in the way that Tammany would want him to vote it. I am not criticizing Tammany. However, they know that MARCANTONIO, who came to Congress first as a Republican, according to the Congressional Directory of the Seventy-fourth Congress, is not interested in that point. But that is the situation.

Why are the people of New York interested in the proposed legislation as it may affect the Negro? I use the word "Negro" with respect here, just as we do in the South. The term is used in connection with designating a race, just as we use the word "Chinese." I do not use the word with any intention of offense. I am a friend of the Negroes in my State, and they know it. If a Negro is treated fairly, he will swear by the person who so treats him. I have working for me two domestic servants who are Negroes. They have been in my service for approximately 35 or 40 years. They are a man and a woman. They are not married to each other. The woman is my cook. I do not know what I would do without her. She rarely ever misses a day. She is not one of the kind who do not come if it does not suit them. She is married and her husband lives with her. The other man living on my lot has a wife and they are raising two children. I would not, if I could help it, permit anybody to impose on those two Negroes. Everybody in my town knows how highly I regard them. They are Negroes of good character; they are really Christians; they are church attendants; they are good citizens. They feel safe and secure. They are not interested in Mr. MARCANTONIO'S starry-eyed views and his efforts to reform this country from the standpoint of the Negro race.

I want to say another thing. It has reference to the Ku Klux Klan. I do not think MARCANTONIO was in favor of the Ku Klux Klan. I presume he was not on that side, and I could not very well charge him with being one of them; but when many supporters of this bill in New York City and other northern cities were riding around at night with hoods over their heads and arrayed in the paraphernalia of the hideous Ku Klux Klan, terrorizing the Negroes, oppressing the Jews, and fighting and opposing the religious faith

of the Roman Catholics, when it looked in my State as if three-fourths of the people belonged to the Ku Klux Klan and the Negroes were scared nearly to death, and were afraid to go out on the street, I did not follow the Ku Klux Klan. I had too deep a feeling of kindness and sympathy for an oppressed race to take part in that movement; but I did not keep quiet on the subject. On the stump and in the newspapers in Alabama I opposed religious bigotry, and race prejudice and the secret riding around by Ku Kluxers who were putting in terror the people of my State and of Indiana and many other northern States, including, to some extent, New York, in fact, it spread all over the country. I did the best I could to dissolve the Ku Klux Klan. Everybody in Alabama who kept informed as to my attitude on that subject was familiar with my position and my views. Sitting near me is a good old warrior, who the other day made one of the finest speeches I ever heard any man deliver in the Senate. It came from his heart, backed by the intelligence of his great brain and his high character and his outstanding reputation for truth and good citizenship. He did in Texas what I did in Alabama when it was the most unpopular thing that a man could do. My friend here, the senior Senator from Texas [Mr. CONNALLY] made a straight, courageous, earnest, effective fight against that sort of lawlessness and oppression. And now we are here resisting this move to violate the Constitution of the United States, to destroy States' rights, to interfere in a matter in which those who are back of this effort have no business to interfere, and they are doing an injury by interfering.

A campaign has just been concluded in Alabama in which my colleague [Mr. HILL] was a candidate, and, of course, a successful one. Let me say that the campaign of his political opponent was waged with fierceness and with the circulation of cartoons and pictures. One of them, circulated all over the State, showed my colleague shaking hands with a good old Negro farmer on an occasion when there was a celebration because of his success in connection with the soil-conservation program. Feeling ran very high, and it was largely brought about by the Supreme Court's decision recently rendered. There was brought about, Mr. President, by the agitation of the race question an unusual and remarkable feeling of prejudice against the colored people of the South. I regret it. I hope it will not occur again, but so long as there are men like the sponsors of this bill who do not understand the situation and do not realize that they are doing a great injustice to a race that is making progress and that is satisfied, so long as there are agitators such as those sponsoring a bill like this, waves of strong anti-Negro feeling will recur in the South, as they did in the Ku Klux days. The movement may start in the South, but do not fail to realize that it will spread to the North, the East, and the West when great tides of racial feeling are stirred up. It cannot be controlled, as it was not controlled on a

previous occasion until it grew into a national menace and disgrace. That is what the sponsors of this bill are likely to bring about. They do not realize it, but certainly they are ignorant about the thing. They have been misled. The Negroes in the South have not written to Senators, and my colleagues know that to be so, for the Negroes are not worried about the pending bill.

They have this high tide again rolling against them and they know that propaganda for the enactment of such a bill as this stirs up an element of our people, as has been the case in the last few months. They know that that race feeling is likely to become stronger and stronger as it spreads. I believe that if this bill should be passed—Gold help me, I am confident it will not be passed due to the understanding of a great many intelligent, high-class citizens who live outside the South, many of whom are in this body—but if this bill should pass, from the way they talked in the last election and from the way they feel, the white folks down there will probably organize. They feel that the Federal Government is doing to them again what it did to them in the days of reconstruction; that if this bill passes the Federal Government will take charge of their franchise laws.

There are a number of counties in my State and a number of counties in other States in the South having a very decided majority of colored people. The white people figure if all the Negroes should be put on the registration list—I do not think they would be because they would be kept off on other grounds—but if they should be there is a fear that the courthouse, as was the case in reconstruction days, would again be filled with colored county officials, to wait upon our white people, our women, and our children, when they have to go to the courthouse to transact business which may be necessary. They are apprehensive of that.

Why force such a situation? If you force it now, Senators, I want to tell you we shall go through the Ku Klux Klan era again. I never saw our southern people so aroused. I am 72 years old; but I was not old enough to realize what was going on during the reconstruction period, when my father belonged to the Ku Klux Klan, as all of our Confederates did for self-protection. The original Ku Klux Klan was not like the last one; it was designed to protect white supremacy, protect our women and children against the unlawful northern carpetbaggers who were sent down to the South. Our people are worried and stirred up about this thing; they are highly incensed about it.

Mr. President, since this debate started we have had three of the greatest constitutional arguments I have ever had the privilege to hear. The Senator from Texas [Mr. CONNALLY], a great orator, a man whom we all respect and have confidence in, made one of the most effective appeals ever made in the Senate Chamber. He was speaking for his people. He was speaking for the good people all over this country who do not understand what the pending measure means.

Then there came the great Senator from North Carolina [Mr. BAILEY], a brilliant mind, with a courage, moral and physical, unsurpassed, a man whose friendship I very deeply value, and I am glad whenever I can have the opportunity of listening to the words of wisdom and eloquence which fall from his lips. He is a conscientious man, one raised in the heart of North Carolina, who knows all about the race problem in the South. Here, with earnestness and eloquence, he protested against this infamous bill, and against the infamous leaders who are trying to press its passage through political influences, and not as a result of any outcry by the Negroes in the South. Those who are pressing for passage of the bill profess to be trying to protect the Negroes. The Negroes do not want them to put their slimy hands on them, and bring them into conflict with the people with whom they have lived in peace and love ever since the days of slavery. The Senator from South Carolina [Mr. SMITH], who sits before me, knows how the Negroes feel.

Then came that old Roman, the senior Senator from Georgia [Mr. GEORGE], not old in years but old in the confidence and respect and admiration of the people who know him and look up to him. We in the South look up to him as a great leader. His colleagues in the Senate regard him as a peerless statesman. He made an effective constitutional argument which left practically nothing for the rest of us to say on the subject.

The young junior Senator from Mississippi [Mr. EASTLAND] gave us a splendid description and historical account of the cloture rule, which was very helpful.

After these great contributions, almost unequalled in the history of this body, I announced in the beginning of my remarks that I could say nothing that would be of special help to Senators in deciding this question on its merits. In the short span of life ahead of me I never expect to hear three such able, such brilliant, such persuasive, such earnest, such honest speeches, as TOM CONNALLY, JOE BAILEY, and WALTER GEORGE made since this discussion arose.

Now, Mr. President, I shall proceed, and shall conclude in a short time. I shall not go into the constitutional phase of the question before us, because Senators all heard the speeches of the orators to whom I have referred, whose addresses constitute an encyclopedia of law on States' rights, and the rights of the States to control exclusively their franchise laws.

There is a statement at the conclusion of the minority views on the anti-poll-tax bill in October 1942, which would be a sufficient answer to the pending bill if there were no other answers. It was signed by Senators Connally, Austin, and Doxey, and was as follows:

We believe also, and submit, that the present emergency is not a proper time for the submission of controversial matters, which the instant bill is, particularly because, also, it is an attempt to accomplish an alleged reform by national action at a time when the whole attention and energy of the whole people should be devoted to the war effort

and their attention not distracted by an issue such as this.

There is more reason now than there was then for Congress to refrain from stirring up and agitating so-called reform issues which tend to deeply stir the emotions and resentments and the anxieties of large groups of our people.

For more than 150 years the bench and bar and the Congress of this country have agreed that the privilege of voting was exclusively a State function, with the limitations specifically prescribed in the Constitution, and that Congress did not have the power to change by addition or subtraction the qualifications prescribed by the States for voting.

It is exceedingly strange, after so long a period of acquiescence in this fundamental principle of States' rights, and after we get into the most dangerous and trying period of our national history, that some Members of Congress should decide that reforms in our structure of government are desirable. Because they do not like certain provisions in the constitutions of eight States, concerted action is taken to invade the long-respected rights of the States to fix the qualifications of voters without domination or interference by Congress, a purely legislative body, with no power under the Constitution to supervise and alter and amend State constitutions on the subject of franchise.

It is very interesting to note that the bill now under consideration was introduced by a Member of the House of Representatives who is not a member of either of the major political parties, one or the other of which has been dominant in the government of this country since it was founded. This man became the leader of the anti-poll-tax movement, and, strange as it may seem to some of us, has found sufficient followers in both branches of Congress, among Democrats and Republicans, to gravely menace one of the most important principles involved in our dual form of government. Whether that man has grown strong in his leadership because of the trend of the times to destroy the Constitution, is a subject for serious thought. I am sure that he has not grown so powerful as a leader because of the fact that he is a Socialist or possibly a Communist. Other reasons must be found. For the last 10 or 12 years we have heard protests of alarm from various State and national bar associations that our Constitution and constitutional rights were in grave danger. We have heard daily protests from the great editor of this country and from numerous students of constitutional government that unless defenders of the Constitution were on diligent guard, the subject of voting qualifications may become totally irrelevant and that elections themselves may be altogether suspended.

Some years ago when the President of the United States proposed the reorganization of the Supreme Court, commonly called at the time by its opponents the "packing of the Supreme Court," in order to change the viewpoint of the Court on the constitutionality of certain so-called New Deal measures, there arose in this



country a tremendous protest based chiefly on the ground that such action would mean the subordination of the Constitution to the temporary clamor of the multitudes, rather than to stand by the old safeguards and guaranties afforded by our fundamental law. The solid judgment and the matured wisdom of the years behind us finally prevailed and a precedent was not established for increasing the Court from time to time so that the Constitution would be construed to correspond with the wishes of the President and of a majority of the Members of Congress.

We are now confronted with another serious effort to destroy the Constitution and to establish the precedent of Congress changing State constitutions when the election laws, including the qualifications of voters, do not please large groups of voters who either have contrary political interests or social-reform ideals which may be served by disregard by Congress of the Constitution of the United States. One step in disregarding the Constitution leads to another; one success in breaking down the constitutional rights of the States leads to the destruction by successive steps of our dual form of government. There is no more important principle of government than the rights of the separate States to control their elections by their own constitutions and laws.

For some years there has been a trend toward centralized Federal Government. The pending bill proposes the most dangerous step in that direction that has been covered by any bill introduced in Congress for many years. If enacted it will set a precedent for the establishment of a centralized Federal control of all elections. It is so flagrantly in violation of the Constitution of the United States that it may be followed as a precedent, illegal though it may be, for the appointment of election officials, including control of all the machinery of the elections, thereby converting local elections into Federal elections. The bill applies only to the qualifications of voters for President, Vice President, Senators, and Members of the House of Representatives. As the bill is confined to changing qualifications for voters for the executive and legislative officials, the next dreamer of stronger centralized government will propose that the Federal Government pay all expenses of the election on the theory that the Government would be in better position to dominate and control the conduct of the election.

The passage of the bill may necessitate the eight Southern States who require the payment of poll tax, and possibly other States, to separate the Federal and State elections. If that should be done, there would be two lists of voters for these separate elections. State officials would make up the list of qualified voters under the State laws. Who will make up the list under the Federal law for fixing separate and distinct qualifications for voters? Who will furnish the equipment and supplies for the Federal elections? No effort has ever been made until very recently to pass legislation which would encourage, if it

does not make obligatory, the holding of separate State and Federal elections. Unless there is a very grave need for such legislation, it should not be undertaken at this time.

During the pendency of the measure recently before us to provide means for our armed forces to vote in the general election, long consideration was given in the Senate to the subject of States' rights involved in that legislation. I speak now of the soldiers' vote bill. The committee bill, it will be recalled, contained provisions which undertook to fix the qualifications of voters, although in conflict with provisions in numerous State constitutions. Notwithstanding the sentiment involved in that measure and the desire of every Member of the Senate to provide legal facilities for the soldiers to cast their ballots, there were many Senators who were unwilling to disregard their duty as they understood it to uphold and protect the Constitution even where the appeal to forget it was so strong. The debate proceeded for a number of days and revolved chiefly around the subject of States' rights to fix the qualifications of voters. Practically one-half of the Senators, including numerous Republicans as well as Democrats, voted for the protection of the rights of the States as contained in the Constitution. I feel sure that all the Senators who voted against the Lucas-Green bill on the ground that it infringed on States' rights, will vote against the passage of this anti-poll-tax bill, notwithstanding the pressure of political influences which are appealing to them, without regard to the constitutional questions involved, to vote to abolish the poll tax.

The elimination of the requirement for the payment of poll taxes would not, as some persons seem to think, materially increase the number of Negroes voting in the poll-tax States. In the so-called poll-tax States, the payment of poll tax is only one of the required qualifications for registering as a voter.

#### CLOTURE

Mr. President, I wish to make a few remarks about cloture, and then I shall be through.

Freedom of open, unhampered debate in this body has been the bulwark of protection for minorities against oppressive legislation since the establishment of parliamentary government in America. It is an essential part of the foundation upon which our Government has grown in physical, moral, and spiritual resources and power.

The rule under which debate can be closed under the cloture rule, and the oppressive hand of two-thirds of the Senators used to gag the minority and prevent further resistance of a protesting minority, was never intended to be applied except in cases of dire emergency which involved imminent danger to the welfare and security of the Nation. The miserable pretense contained in the pending bill, whether viewed as a social or economic reform, or as a device to weaken the pillars of constitutional government, should not be permitted to establish a precedent for shaking down

the walls of our Constitution. When will the next storm of prejudice or passion or misguided philanthropy attempt to weaken or destroy or punish other groups or sections or races or those of minority religious faiths?

All the Members of this great body came here with full knowledge of the 150-year-old tradition of unlimited debate. That rule has protected the rights of minorities until the evils of hatred and hot passions have subsided; it has prevented the passage of bad legislation; it has aided in preserving the safeguards provided by the Constitution for the protection of the rights of great segments of our people. It has provided time for research and investigation; it has preserved the status quo until light could displace darkness. Surely the requirement of the collection of a measly poll tax—in my State, \$1.50 per year to provide additional educational funds—does not in good faith and good conscience justify the proposed departure during our national peril from the long prevailing sound rule that has so consistently governed the business of the Senate all of its days, with a few exceptions. Before voting to use the cloture rule I beg Senators to foresee that such action provides a precedent that will rise to plague us in the turbulent days ahead.

Mr. McKELLAR obtained the floor.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	O'Mahoney
Austin	Gerry	Overton
Bailey	Gillette	Radcliffe
Ball	Guffey	Reed
Bankhead	Gurney	Reynolds
Barkley	Hatch	Robertson
Bilbo	Hawkes	Russell
Brewster	Hayden	Shipstead
Brooks	Hill	Smith
Buck	Jackson	Stewart
Bushfield	Johnson, Colo.	Taft
Butler	La Follette	Thomas, Idaho
Byrd	Langer	Tunnell
Capper	McCarran	Tydings
Caraway	McClellan	Vandenberg
Chavez	McFarland	Wagner
Clark, Mo.	McKellar	Walsh, Mass.
Connally	Maloney	Walsh, N. J.
Cordon	Maybank	Weeks
Danaher	Mead	Wheeler
Davis	Millikin	Wherry
Downey	Moore	White
Eastland	Murdock	Wilson
Ellender	Nye	

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, this bill does not in terms provide for the repeal of a constitutional provision, but that is precisely what it would do. In part it provides for the repeal of two constitutional provisions. It is quite an unusual bill in that it undertakes to repeal the Constitution of the United States. That is so clear, and it has been so ably stated by the Senator from Texas [Mr. CONNALLY], the Senator from Georgia [Mr. GEORGE], the Senator from

North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], and other Senators that it is not necessary to go into the constitutional questions which have already been thoroughly discussed.

I merely wish to state the particular provision of the Constitution which the so-called Marcantonio bill seeks to repeal. It seeks to repeal the second section of article I of the Constitution, which is as follows:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications required for electors of the most numerous branch of the State legislature.

That provision is perfectly plain. It was adopted about 150 years ago by the Constitutional Convention, and it has been in effect ever since. It has never been questioned until comparatively recently. Not until very recently has anyone ever sought to repeal that provision by a simple act of Congress; and yet that is what it is proposed to do at this time.

I invited the Senator from New York [Mr. MEAD] to be present during my remarks, because I intended to reply to some of the statements which he made yesterday. He does not seem to be present, but I have no doubt he will come into the Chamber in a few minutes. At least I hope he will be present, because I wish to ask him a question or two.

Among other things, he said that the reason for undertaking to repeal a constitutional provision by an act of Congress was that certain trends indicated that we were getting away from the old landmarks, and that while in former years it might have been necessary to repeal the constitutional provision itself, yet we must remember the trends which are now under way.

Mr. President, that position concerning trends is a peculiar one for the Senator from New York to take, because the provision to which I have referred was repeated in the Constitution 126 years after it was first adopted. It was repeated in the seventeenth amendment. By the seventeenth amendment the Congress of the United States undertook to have Senators elected by the people instead of by the State legislatures, and after that was done the people of the United States adopted the constitutional amendment which contains the very same words which are contained in section 2 of article 1 of the original Constitution, namely—

The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

So what the Senator from New York and MARCANTONIO are undertaking to do is to repeal a provision placed in the original Constitution and reiterated 126 years later. I digress long enough to say that I believe they are the only ones who are really undertaking to bring about what the bill seeks to accomplish. I do not believe I see any of the other advocates of the measure in the Chamber. There has been very little interest displayed in the measure. Very little atten-

tion has been paid to it. However, I repeat that the bill would not only repeal a provision of the Constitution which was adopted in 1789, but its sponsors undertake to repeal another provision of the Constitution appearing in the same words as the first and which was adopted in 1913. In other words, in 1913 the people of the country ratified certain language appearing in section 2 of article 1 of the Constitution 126 years after it had been first adopted.

We have been going along ever since, and the general idea of our Government has been that if it was desired to repeal a constitutional provision the proper procedure was to submit a constitutional amendment to repeal the provision, just as was done in the case of the prohibition law. A prohibition amendment was adopted many years ago, and recently it was repealed. If it is now desired to repeal these two provisions of the Constitution, considering that the dates of their adoption were separated by approximately 126 years, it seems to me that, instead of this proposal being in the form of a bill merely, to be acted upon by Congress, to repeal those two provisions, it should be in the form of a constitutional amendment. In that event the situation would be entirely different. But I ask Senators to remember that what we are called upon to do is to pass a bill repealing two provisions of our National Constitution.

Mr. President, I ask the Senator from New York [Mr. MEAD] to be present, because I had expected to refer to several statements which he made on the floor. I am sorry he is not here. I have had the clerk telephone him and tell him that I was about to refer to the speech he made yesterday, and ask him to be present. I hope the clerk will telephone him again and ask him to come into the Chamber. I read from the speech which he made on yesterday, and which appears on page 4259 of the CONGRESSIONAL RECORD.

President Roosevelt, in his press conference on February 13, 1942, denounced the levying of poll taxes as a practice which has prevented many poor people from voting. He said that all his life he had been opposed to such levies. No one would question the integrity of the statement or the fidelity to the American Constitution of the President.

Of course, no one does question it. The President gave that as his opinion. On yesterday, as I recall, the Senator from Georgia [Mr. GEORGE] stated that his opinion was that if the matter were presented to a vote of the people of his State he would vote for repeal. I am not so sure but that I should do so myself. I am rather inclined to think that it might be well for States to repeal their poll-tax laws, and if the question should arise in my State, I should certainly give it my best attention. As I now look at the matter, I am very favorably inclined toward the repeal of the poll-tax statute. However, it must be done in a constitutional way, not in an unconstitutional way, and not by disregarding the Constitution and everything else that we in this country hold dear. Let us take proper measures to repeal constitutional provisions by constitutional action, and not

by legislative action such as is proposed by this bill.

I read a further statement of the Senator from New York, which appears on page 4342 of the daily CONGRESSIONAL RECORD:

Mr. MEAD. However, the President and the present Supreme Court are unanimous in their efforts to eliminate the poll tax.

Allow me to read that again.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CONNALLY. Did the Senator speak of the Supreme Court?

Mr. McKELLAR. I will read it again:

Mr. MEAD. However, the President and the present Supreme Court are unanimous in their efforts to eliminate the poll tax.

Mr. President, that is the most remarkable statement I have ever heard in this Chamber. I have been a Member of this body for approximately 28 years, and I have never heard such a statement fall from the lips of any other Senator. I cannot imagine how anyone could speak for the Supreme Court in the way that the Senator from New York has spoken for it.

[At this point Mr. McKELLAR yielded to Mr. BARKLEY to present a cloture motion. By request of Mr. BARKLEY, the debate and proceedings which ensued were ordered to be printed in the RECORD following the conclusion of Mr. McKELLAR's speech.]

Mr. McKELLAR. I desire again to read a statement made by the Senator from New York [Mr. MEAD] appearing on page 4342 of the daily RECORD of yesterday.

Mr. CONNALLY. Did the Senator from New York pretend to speak for the Supreme Court?

Mr. McKELLAR. I do not know.

Mr. CONNALLY. By what authority did he speak for the Supreme Court? He has not come into the Chamber, and I should like to know.

Mr. McKELLAR. I do not know. It is the strangest statement I ever read in the RECORD, so strange that I am calling the attention of the Senate to it again. I read from the RECORD:

Mr. MEAD. However, the President and the present Supreme Court are unanimous in their efforts to eliminate the poll tax.

If that be so, why in the world, instead of introducing and trying to pass a bill here, does not someone merely take a case to the Court and have the Supreme Court, that is so unanimously and so extremely anxious to dispose of the matter, settle it by judicial decree, without coming before the Congress for any legislation? If the statement be correct it seems to me that it would not be at all necessary for Congress to act. I want to defend the Supreme Court. I think the Senator from New York has done the Supreme Court a great injustice. I do not know all the members of the Court; I think I have met them all; I do not know them all intimately, but I cannot see how anyone, even though he may not like the Supreme Court, could ever make a statement such as this.

I am glad to see the Senator from New York is now present. I just read to the



Senate a statement from his speech of yesterday. I will read it again:

Mr. MEAD. However, the President and the present Supreme Court are unanimous in their efforts to eliminate the poll tax.

To my mind that is the most remarkable statement I ever heard uttered in the Senate. I simply cannot understand how the Senator from New York can speak for the entire Supreme Court and about their unanimity. Senators, that Court has to determine under their oaths of office the question of the validity of any act that may be brought before them, and, if the pending bill should be passed and should be brought before the Supreme Court, if the Senator from New York is correct in his statement, what would be the effect upon that lawsuit? It has been a long time since I have tried law cases before courts, but I remember enough about law cases to know that that would be a very serious charge against a court that had to pass upon a law enacted by the Congress and might invalidate the whole proceeding. I am sure my good friend from New York was just letting his excitement run away with him. He could not have meant that the Supreme Court was making a fight like the organization known as the Committee to Abolish the Poll Tax, with headquarters at 127 B Street NE. The Supreme Court meets in that vicinity, but I am sure the Supreme Court has not joined that committee in trying to eliminate the poll tax as the statement might seem to indicate. I am utterly astounded at the statement, and I hope the Senator will withdraw the statement in the interest of law and order. That sort of a statement merely shows where we are coming to even by considering this kind of legislation, a bill to repeal two constitutional provisions at one and the same time.

Mr. MEAD. Mr. President, will my colleague from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. MEAD. I do not believe that any Senator here, including my distinguished colleague from Tennessee, heard me say what is credited to me in the RECORD. I am placed in a difficult and very embarrassing position because we have the most efficient staff of reporters I have ever come in contact with. Perhaps I should have remained in my office and corrected my speech, but I did not say that "the President and the present Supreme Court are unanimous in their efforts to eliminate the poll tax." I did say that the President spoke out openly and vigorously against the poll tax. I did say that the trend of opinion emanating from the Court indicated that the Court favored a liberalization of the suffrage. I had in mind the primary case which was recently tried by the Supreme Court. I had in mind other cases that are quoted in the hearings before the Judiciary Committee. But, of course, I presume there are times when everyone makes mistakes. This is a mistake. I not only did not say that, but I certainly would not say that the Supreme Court is unanimous on anything which they have not yet been called upon to decide. That statement is a little bit beneath the

judgment of a man of ordinary intellect, and I reach up in my ego to assume that I have ordinary intellect.

If the distinguished Senator from Tennessee is building his argument around that statement, he has a good statement around which to build it, but he has a bad argument, because that is not my statement, and I will see to it that it is corrected for the permanent RECORD to read that the President has vigorously spoken out against the poll tax, and that the Supreme Court has been very liberal in its recent decisions, leading me to believe that it would be at least proper for us to refer the bill to them.

Mr. McKELLAR. Mr. President, I am glad the Senator repudiates the statement which appears in the RECORD, but I do not know but that the last statement is nearly as bad. In other words, the Senator talks a little later about trends, trends in the courts and trends in the Congress, to disregard the Constitution. I am afraid the Senator's explanation is not much better than the original statement.

Mr. MEAD. Of course, if I am wrong in holding that there is a possibility of it being held constitutional, then there are with me 286 Members of the House, a majority of the House Judiciary Committee, and a majority of the Senator's colleagues on the Senate Judiciary Committee; so I am in good company. If we had a final vote on the passing of the bill, the Senator would be in the minority. [Manifestations of applause in the galleries.]

Mr. CONNALLY. Mr. President, I ask the invocation of the rules of the Senate. Many of these propagandists are not content with assaulting us with their telegrams and letters and plucking our coats, but they rise in the gallery and seek to influence the Senate by loud and boisterous demonstrations. I hope the Chair will order the attendants in the galleries to eject them, not simply to caution them, because cautions do not do any good. I shall not insist on that at this time, but if it is repeated, I shall insist on the Presiding Officer ordering those who violate the rules to be excluded from the galleries. They are supposed to come here and have some respect for the Senate, and they are supposed to observe the rules, and the fact that some Senators want to tear up the Constitution gives no right to anyone in the galleries to tear up our rules.

The PRESIDING OFFICER. The Chair admonishes the occupants of the galleries to refrain from any demonstration or applause. They are here as guests of the Senate, and as such they will be required to observe the rules of the Senate.

Mr. MEAD. Mr. President—

Mr. McKELLAR. Just a moment, and I shall yield. I am rather sorry the Senator from Texas made the suggestion, because I am about to read some names, and I dare say a number of those whose names I shall read are in the galleries, and so long as they are there, I shall not object to a mere matter of a little applause for the Senator from New York, who is making a valiant but apparently a one-man fight for this com-

mittee in the gallery. I do not know but that they should applaud him. I think so. I have no objection at all to their applauding him.

I yield to the Senator from New York.

Mr. MEAD. Mr. President, since I have returned to my seat, several Members of the Senate who sat here all during the debate yesterday told me that while they heard my entire speech, they did not hear me make the statement to which the Senator from Tennessee has referred.

Mr. McKELLAR. Mr. President, I thought I heard it just as it is written by the reporters. That was the way I understood it then, and that is why I marked it in the RECORD. I looked for it in the RECORD this morning, to see if it was as I had heard it yesterday, and I found that it was as I heard it. But the Senator says that was not his statement, and I take the Senator's word for it.

Mr. MEAD. I am sure that if the Senator had heard it yesterday, he would have brought it to my attention, because he brought so many things to my attention that I am sure he would not have omitted that.

Mr. McKELLAR. The Senator made so many errors that it took a very active man to follow him in his errors, and I might have overlooked that one.

Mr. President, I come to another remarkable statement by my distinguished friend from New York, which I shall read. He said:

I referred to trends a little while ago, and I said that ever since the American Republic paved the way for democracy to live and flourish all over the world, because we made good with this experiment in government here in America, the trend has been to be more liberal, to extend the franchise, to excite the interest of all the people in the affairs of the Nation. The Congress recognized its authority regarding the qualifications of electors for Federal officers when it recently enacted, in September 1942, the bill which gave to men in the service the right to vote.

I now wish to say a word or two about trends, and I want to ask the Senator from New York a question, if he will bear with me for a moment.

Speaking of trends, the idea of repealing two constitutional provisions by "trends" is a kind of legislation I cannot understand. Several years ago the prohibition amendment was adopted by the people of this country, and put into the Constitution of the United States. Then there was a strong trend against the prohibition law, but no one introduced a bill to repeal the prohibition amendment by an act of Congress. An amendment to the Constitution was proposed to repeal it, in the good old constitutional way, and it was repealed.

There are now many people in this country who say that there is a great trend to restore prohibition. If some prohibitionist on this floor were to offer a bill to repeal the present prohibition repeal amendment, would the Senator vote for that because there was a trend for it? He would not vote to restore the prohibition amendment because of a trend, I am sure. We cannot follow trends. We have a written Constitution, which has been in effect since 1789, and

the Constitution does not provide for a repeal by Congress on the basis of trends. It provides that a constitutional provision may be repealed in a certain way, by a joint resolution in the Congress of the United States, and resulting approval by three-fourths of the States. Of course, that is the constitutional way, and it is a perfectly simple way. We repealed the prohibition amendment in that way, and surely, if we could repeal that, we could repeal section 2 of article I of the Constitution, if the people were in favor of its repeal. But the Senator will find, before his political career shall have ended—and I hope it may last a long time—that trends do not amount to much, and the loud-mouthed advocates of doing a thing illegally, disregarding the Constitution of the United States, which we are all sworn to uphold and defend and protect against all enemies, foreign and domestic, should not lead any of us to desert the old landmarks.

Mr. MEAD. Will the Senator yield?

Mr. McKELLAR. I yield to the Senator from New York.

Mr. MEAD. Mr. President, the official reporter who took down the debate yesterday was good enough to come to my desk with his notes, and he explained to me—and these are his words—that if you change "Supreme Court" to "speaker" you will have the correct statement which I made on the floor, which reads as follows:

However, the President—

Meaning the President of the United States—

and the present speaker—

Meaning the junior Senator from New York—

are unanimous in their efforts to eliminate the poll tax.

So if the Senator will substitute the word "speaker" for "Supreme Court," and take the word of the official reporter, it will, I think, prevent or make unnecessary continued discussion.

Mr. McKELLAR. I will not discuss it longer, but I should like, with the permission of the Senate, to ask unanimous consent to ask the reporter, he being present, whether his notes show the Speaker of the House of Representatives, or do they show the Supreme Court?

Mr. MEAD. "The speaker" he tells me.

Mr. McKELLAR. The reporter's notes show "the speaker"?

Mr. MEAD. Yes; and the reporter was good enough to bring them here, and he is here for that purpose.

Mr. McKELLAR. Very well.

Mr. MEAD. Mr. President, there is only one other difficulty that separates the distinguished senior Senator from Tennessee and myself, and that is that there is a difference in our interpretation of the meaning of the word "trend." Of course, I am intelligent enough to know the necessary steps laid down by the Constitution whereby we amend the Constitution. When I talked about trends I referred to trends that create public opinion, trends that have an effect upon the Members of the Senate. If there is a strong trend in the State of Tennessee,

we will say, for national prohibition, we might ultimately find the Senator from Tennessee voting for prohibition, either a prohibition amendment or a prohibition law. And so the word "trend" can be used as one wishes; but the Senator cannot impute a meaning which is entirely different from the meaning I had in mind.

And I will say today that there is a trend in Tennessee, and if the people of Tennessee, all the people of Tennessee, the poor people and the rich people of Tennessee, are allowed to vote, they will do what they did on three other occasions, they will vote to give the people of Tennessee a free election in which all the people will be entitled to an opportunity to go to the polls and decide who will be their Senator or their Representative in the House.

Mr. McKELLAR. Mr. President, that statement shows how utterly without knowledge the Senator from New York is as to trends in Tennessee. If he is as badly informed respecting trends in New York and trends in other States as he is respecting trends in Tennessee, he does not know anything about the situation at all. I wish to say to him that no State in the Union has freer elections than has Tennessee, or more honest elections, or elections which follow more closely in every way the provision of the Constitution which says that individuals shall vote who have the qualifications of electors for the most numerous branch of the State legislature.

Mr. President, I wish to say another thing to the Senator from New York. He does not know it perhaps, but the Negroes in Tennessee vote when they want to and whenever they conform to the Constitution and laws of Tennessee and the United States.

Mr. MEAD. But Tennessee has a poll tax; does it not?

Mr. McKELLAR. There is a poll tax for some individuals; yes. The legislature has recently determined, as it could, that all soldiers, for instance, between the ages of 21 and 50, colored soldiers as well as white soldiers, can vote without paying the poll tax and without legislation. I am not discussing the question of colored people voting or not voting. I am discussing the question of the Constitution of the United States and our obligation to abide by that Constitution. We have no right to repeal its provisions by ourselves alone.

Mr. President, I want to come to another feature. In last Sunday's New York Times there was published on the editorial page a letter from Jennings Perry, to whom the Senator from New York referred in such glowing terms yesterday as a leader of the South who was opposed to this bill. He is the editor of the Nashville Tennessean. The letter appears under the title "Poll Tax Is Opposed," with the subtitle "Those Who Favor Retention Held Unrepresentative of South."

Mr. President, I shall read a part of the letter, but ask unanimous consent that the entire letter may be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McKELLAR. The letter is addressed "To the editor of the New York Times." It is from Mr. Jennings Perry, editor of the Nashville Tennessean. Perhaps I had better tell the Senate who Mr. Jennings Perry is. I have the information before me in a letter. I read from the letterhead:

National Committee to Abolish the Poll Tax, 127 B Street SE., Washington, D. C. Telephone Lincoln 4820-1. Jennings Perry, chairman; Dr. Will Alexander, vice chairman; Virginia Foster Durr, vice chairman; Catherine Shryver, executive secretary.

Sponsors—

And I shall read a very distinguished list of sponsors—

Eleanor Roosevelt, Mrs. Sherwood Anderson, Hon. Joseph Clark Baldwin, Harry C. Bates, Hon. George Bender, Mary McLeod Bethune, Barry Bingham, Norma E. Boyd, Mrs. Louis D. Brandeis, Rabbi Barnett Brickner, Hon. Arthur Capper, Rufus Clement, William F. Cochran, Dale DeWitt, Thomas H. Elliot, Judge Henry Ellenbogen, Julius Em-spak, Marshall Field, Albert J. Fitzgerald, Dr. Harry Emerson Fosdick, Hon. Joseph Gavan, Rev. Francis J. Gilligan, Dr. Frank P. Graham, William Green, Knute Hill, Rt. Rev. Henry W. Hobson, Mordecai Johnson, Paul Kellogg, Attorney General Robert W. Kenney, Bishop Paul Kern, Julius G. Luhrsens, Most Rev. Robert Lucey, Dorothy S. McAllister, Bishop McConnell, Hon. Vito Marcantonio, George Meany, Rev. A. J. Murphy, Philip Murray, Hon. James O'Connor, Rt. Rev. Edward L. Parsons, James Patton, A. Philip Randolph, Emil Rieve, Reid Robinson, Father John A. Ryan, Lt. Comdr. Charles Seely (retired), Bishop D. H. Sims, Donald Ogden Stewart, Euclid Louis Taylor, Rev. John B. Thompson, R. J. Thomas, Dr. C. H. Tobias, Dr. Francis E. Townsend, Oswald Garrison Villard, William Allen White, A. F. Whitney, J. Finley Wilson.

The letter reads as follows:

DEAR SIR: Here is some background material on the big fight coming up this week—May 9—in the Senate when Senator McCARRAN moves to consider the anti-poll-tax bill, H. R. 7.

We know the opponents of the bill will try to confuse the issues. For this reason our aim has been to hammer away ahead of time at the true issues so that the filibuster will not sidetrack the people.

By the way, Mr. President, I do not know that anyone is trying to conduct a filibuster. If any Member of the Senate is trying to conduct a filibuster, I should like to know who it is. I know the junior Senator from New York [Mr. MEAD] was not trying to conduct a filibuster yesterday, because he did not talk long enough. No other Senator has spoken on that side of the question; but some speeches have been made, and we are to have cloture, and we are to vote on it right away.

I read further from the letter:

We hold that this is a question of the Federal right of citizens to vote for their representatives in Government, and in the Senate, a question of majority rule, since a majority of the Senators will vote for H. R. 7 if permitted to.

Thank you for your attention to a matter which has become enormously more important in its setting of a world war for democracy.

Sincerely yours,

Mrs. KATHERINE SHRYVER.



Mr. President, now I wish to read from the article or letter by Mr. Jennings Perry. He is the editor of a newspaper, and he has written a communication to the New York Times. It was published in last Sunday's New York Times. It reads as follows:

Allow me to protest the injustice done the South in C. P. Trussell's report from Washington on the poll-tax issue in the Times of April 16. The injustice is quite too commonplace in the press generally and results from the readiness of correspondents—and of editorial writers—to accept the voices of some southern Congressmen, particularly Senators, as the voice of the South.

Mr. President, Members of the House of Representatives and Members of the Senate from the South may be regularly elected, but according to Mr. Jennings Perry they have no right to represent the South or to express the South's opinion. That can be done only by Mr. Jennings Perry, no doubt.

Listen to this:

The point is pertinent to the poll-tax issue, and should be considered here, that none of these gentlemen ever in his life faced a free electorate and that all of them are in Congress by the votes of only a minor fraction of the people they are supposed to represent.

Of course, it would be useless to reply to that statement, because those of us in the South who have had such a hard time to be elected know that the statement is wholly inaccurate. Mr. Jennings Perry would know it, too, if he were to offer himself as a candidate for either a Member of the House of Representatives or Member of the Senate from Tennessee. I dare him to do it. If he does, he will find out that he does not represent the majority opinion of the people of Tennessee, or of any district therein.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. BILBO. In order that the country may know just how thoroughly representative the senior Senator from Tennessee [Mr. McKELLAR] is of the people of Tennessee, from which the writer of the letter hails—and let me say that, of course, I know the Senator from Tennessee is too modest to do it unless I ask him to do it—I wish to ask the Senator to state how many votes he received in his last election, and how thorough his election was on the part of all the people of Tennessee, including the Negroes?

Mr. McKELLAR. Mr. President, I think I received a majority of the votes cast by every class of people in my State, but I am frank to tell the Senator I do not remember the figures.

Mr. BILBO. Did the Senator carry all the counties and districts?

Mr. McKELLAR. I think I did, although I am not sure. Perhaps my colleague can furnish that information.

Mr. STEWART. Mr. President, the Senator's majority was tremendously overwhelming. My recollection is that it was 10 or 15 to 1. I do not think any county in Tennessee voted against him.

Mr. McKELLAR. I am quite sure no county voted against me, and my recol-

lection is that no district did. But it has been 4 years ago, and I am not very clear about the exact figures.

Mr. BILBO. Mr. President, it is my recollection that the senior Senator from Tennessee did not lose a district in his State.

Mr. McKELLAR. I have seen that statement made in various newspapers; but I myself am not quite sure about it, so I hesitate to say.

Mr. President, I read further from the letter:

I note that Mr. Trussell is at some pains to credit the expressions he reports to "southern groups" and to "southern Senators." But I note also that he slips easily, as seems to have become customary, into the next error of quoting "the southerners themselves" and of allowing their expressions to paint, without condition, "the mood of the South."

#### PROPOSED BY CALIFORNIAN

May I recall that the first anti-poll-tax legislation, from which the present bill directly derives, was introduced in the House by the late Lee Geyer, of California, at the solicitation of the Southern Conference for Human Welfare, and that the second anti-poll-tax bill was introduced and ardently fought for by Senator CLAUDE PEPPER, of Florida.

May I point out also that this initiative was taken in behalf of millions of southerners, white and black, who no longer have a part in the affairs of their States and Nation, and hence cannot make known their desires or will in the legislative halls. And since the politically voiceless in the South far outnumber those in the South who still manage to exercise the suffrage, it is unfair to them—and to fact—to assume that what a handful of Senators and some others who have no commission from the masses of the people choose to declare reflects "the mood of the South" toward the poll tax, or any other political issue.

In the only Southern State in which the disfranchised have been able to find a voice—Tennessee—

This poor man did not know that North Carolina and Kentucky have no poll-tax law at all, and that the poll-tax law in Tennessee is largely a figment of the imagination. It has been so modified that it really does not any longer seriously apply.

I continue to read from the letter—

repeal of the poll tax by overwhelming vote in the legislature has been compelled, and the fact that the State supreme court, by a 3 to 2 ruling—described in the stinging dissent of Associate Justice Neil as "unknown in the history of English or American jurisprudence"—has held that the legislature could not repeal its own poll-tax act—

That is another case in which an attempt was made to repeal the Constitution by an act of the legislature—

does not mean that the will of the people still is not hard against the abomination, or that the common people of Tennessee are not looking with hope to the Congress for the restoration of their undoubted right to an unfettered suffrage.

Unfettered suffrage, to this man, would mean to find enough people to vote for him or for his employer, Mr. Silliman Evans, for some office down there that they are both anxious to get.

I read further from the letter:

Mr. Trussell states that "stanchest supporters of the anti-poll-tax legislation con-

cede that this levy is not necessarily a controlling factor in decisions made at polling places whether a Negro shall or shall not cast a ballot.

They cast a ballot in my city of Memphis. They cast a ballot all over the State. They are put on exactly the same terms as white voters in my State; and anyone but an ignoramus would know it.

The poll tax is the actual instrument of disfranchisement of millions of citizens in these Southern States, and this disfranchisement has left starveling electorates in which the decisions actually are made by still smaller groups of voters organized by the machines of political bosses or built up by the Senators themselves.

I have previously asked unanimous consent to have the entire letter printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

#### POLL TAX IS OPPOSED—THOSE WHO FAVOR RETENTION HELD UNREPRESENTATIVE OF SOUTH

TO THE EDITOR OF THE NEW YORK TIMES:

Allow me to protest the injustice done the South in C. P. Trussell's report from Washington on the poll-tax issue in the Times of April 16. The injustice is quite too commonplace in the press generally and results from the readiness of correspondents—and of editorial writers—to accept the voices of some southern Congressmen, particularly Senators, as the voice of the South.

The point is pertinent to the poll-tax issue, and should be considered here, that none of these gentlemen ever in his life faced a free electorate and that all of them are in Congress by the votes of only a minor fraction of the people they are supposed to represent.

I note that Mr. Trussell is at some pains to credit the expressions he reports to southern groups and to southern Senators. But I note also that he slips easily, as seems to have become customary, into the next error of quoting the southerners themselves and of allowing their expressions to paint, without condition, the mood of the South.

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May I recall that the first anti-poll-tax legislation, from which the present bill directly derives, was introduced in the House by the late Lee Geyer, of California, at the solicitation of the Southern Conference for Human Welfare, and that the second anti-poll-tax bill was introduced and ardently fought for by Senator CLAUDE PEPPER, of Florida.

May I point out also that this initiative was taken in behalf of millions of southerners, white and black, who no longer have a part in the affairs of their States and Nation, and hence cannot make known their desires or will in the legislative halls. And since the politically voiceless in the South far outnumber those in the South who still manage to exercise the suffrage, it is unfair to them—and to fact—to assume that what a handful of Senators and some others who have no commission from the masses of the people choose to declare reflects "the mood of the South" toward the poll tax, or any other political issue.

In the only Southern State in which the disfranchised have been able to find a voice—Tennessee—repeal of the poll tax by overwhelming vote in the legislature has been compelled, and the fact that the State supreme court, by a 3-to-2 ruling—described in the stinging dissent of Associate Justice Neil as "unknown in the history of English or American jurisprudence"—has held that the legislature could not repeal its own poll-tax act does not mean that the will of the people still is not hard against

the abomination, or that the common people of Tennessee are not looking with hope to the Congress for the restoration of their undoubted right to an unfettered suffrage.

#### DETERMINING FACTOR

Mr. Trussell states that "stanchest supporters of the anti-poll-tax legislation concede that this levy is not necessarily a controlling factor in decisions made at polling places whether a Negro shall or shall not cast a ballot." You hear this exculpation of the vote tax so often from the supporters of the poll tax that you become sick of it. The poll tax is the actual instrument of disfranchisement of millions of citizens in these Southern States, and this disfranchisement has left starveling electorates in which the decisions actually are made by still smaller groups of voters organized by the machines of political bosses or built up by the Senators themselves.

This newspaper made, 2 years ago, a comparison of the votes in Presidential elections in Tennessee and Kentucky over a period of years. These States have equal populations, closely akin in every way. In the past 70 years both States have voted Democratic in all Presidential elections save two.

But Kentucky has no poll tax. The effect of the incidence of the poll tax in Tennessee in 1890 is vividly shown in this survey. As one of the stanchest supporters of anti-poll-tax legislation, this newspaper certainly does not concede that "this levy is not necessarily a controlling factor in decisions made at polling places." It is without question the determining factor in the whole political life of the South.

#### CONTROL OF ELECTORATES

Again I could ask that it be remembered that the southern Senators who will filibuster against Federal legislation that would enable the masses of the South to vote for President and Vice President and for Representatives in the National Legislature are fighting neither for States' rights nor for white supremacy but for their own special privilege of running before drastically restricted electorates they know how to control.

Nor is it that they necessarily are afraid of the votes of those now advocating repeal of the poll tax; but rather that they are afraid of democracy, afraid of their fate at the hands of the whole people, who should have back of their scepter of sovereignty—which of a right is without question theirs—the ballot.

And once more, for the sake of reportorial accuracy, may I caution against easy acceptance of the views of a few magnolia-scented Senators as the view of the South. The South will be able to make known its view only when it shall have regained its voice at the polls.

JENNINGS PERRY,

Editor, the Nashville Tennessean.  
NASHVILLE, TENN., May 4, 1944.

Mr. McKELLAR. Two years ago this newspaper was in bankruptcy. The Government owned its stock and bonds. The Government sold it; and it is my understanding that by arrangement the Government furnished the money for Silliman Evans, who had been an employee of the Government, to buy the newspaper. He bought it and has operated it ever since. It is not a Democratic newspaper. It is not a Republican newspaper, I will say to my Republican friends. It is a Communist newspaper, edited by a Communist. Mr. Evans could not possibly edit any newspaper. He is not qualified to edit a newspaper, and he has employed a Communist to edit the newspaper. That Communist editor feels that he is doing

his full job when he abuses certain men in Tennessee who hold office and certain others who do not hold office. It is a Communist newspaper.

That fact was never more clearly demonstrated than on the 13th of last month, when the Democrats of Tennessee called a meeting at night. All Democrats were invited to attend a dinner to raise funds to help elect the Democratic ticket. They charged \$25 a plate. Neither Mr. Silliman Evans, the owner of the newspaper, who boasts that he is one of the richest men in the country, nor his editor was present. For a little while, until the law was changed, Mr. Evans was so-called editor of a newspaper in Chicago, at \$60,000 a year, so it was reported. I refer to the newspaper belonging to Marshall Field. But when the law was changed and Mr. Marshall Field could not use that \$60,000 as a credit on his income tax, Evans was discharged, and he has gone back to Nashville to abuse Mr. Crump and me. He abuses us all the time. This Communist editor does the same thing at his behest.

That is what we Democrats have to contend with in Tennessee. The Senator from New York [Mr. MEAD] is helping these two Communists. Perhaps it would be going a long way to say that Mr. Silliman Evans is a Communist. I do not know that he belongs to any party. However, I know that he is not a Democrat, because he abused this Democratic meeting. He did not attend it and did not buy a ticket to it. Neither did Mr. Jennings Perry. That certainly shows that, at any rate, they are not working Democrats. Is a man a Democrat because he owns what he calls a Democratic newspaper—a prosperous Democratic newspaper—and yet is not willing to contribute \$25 to the party, especially when he receives a \$5 dinner in exchange for it? The truth of the matter is that Mr. Evans and this Communist editor do not represent the South. Mr. Evans is not a Democrat at all.

The people of middle Tennessee have only one morning newspaper. In that section of the State two-thirds or three-fourths of the people are Democrats, and the only morning newspaper they have is this Communist newspaper belonging to Evans and edited by the Communist Jennings Perry.

By the way, Mr. Jennings Perry is a Tennessean. He came from Scotts Hill, in Henderson County. How in the name of God a man from Tennessee, living down there among the free institutions of our State, and having been reared in such surroundings, can become a Communist and associate with the people whom I have described, is more than I can understand. I should like to read what he says. Before I do so, let me say that Mr. Jennings Perry does not represent public opinion in the South. He states, in an article:

Again I could ask that it be remembered that the southern Senators who will filibuster against Federal legislation that would enable the masses of the South to vote for President and Vice President and for Representatives in the National Legislature are fighting neither for State's rights nor for white supremacy, but for their own special

privilege of running before drastically restricted electorates they know how to control.

This statement is without foundation in fact. I wish to be very considerate of a man from my own State, even if he is a Communist. I have nothing against Communists, except that I do not agree with them. I am a Democrat, and they are Communists. This man is a Communist, and I do not agree with him.

As to this particular amendment, the question of State's rights and white supremacy does not arise. The only question is, Shall we defend the Constitution of the United States against all enemies, foreign and domestic, as the Constitution requires us to do? I maintain that it is our duty to defend it wholly. On a subject of this kind we cannot hold a referendum. We cannot refer this question to the Supreme Court. We cannot refer it to the President, except by passing a bill. We cannot refer this question to the gentleman to whom the Senator from New York yesterday asked us to refer it. We cannot refer a question of conscience to other men to decide.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CONNALLY. If we could, would we not be cowards and knaves to do so? It is our duty, our function, and our responsibility.

Mr. McKELLAR. The Senator is exactly correct. We are the chosen representatives of the people; and we should be rank cowards to submit to someone else the question as to what constitutes upholding and defending the Constitution of the United States. We cannot even depend upon advice from newspaper editors. Suppose I were to say, "I will follow a Communist editor in my State on questions of conscience." Would anyone have any respect for me? He himself would have no respect for me. He may have none anyway. I do not know him. But surely he would have no respect for me if I were to turn my conscience over to him. I do not intend to do so. This is a question for each Senator to decide for himself. I believe that I would be violating my oath of office if I were to vote for this Communist bill, brought forth by a Communist and passed by the House exactly as he wrote it.

Yesterday I called attention to the fact that the bill was passed by the House word for word, line for line, with the dotting of "i's" and the crossing of "t's" all the way through just as Mr. MARCAN-TOPIO had written it.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MEAD. I do not believe that my distinguished colleague wishes to refer to everyone who supports the bill as being a Communist. I have before me a list of the Tennessee delegation, and also the roll call in the House of Representatives. There were present nine Members from Tennessee. Five of them voted against the bill, and four of them voted for it, so we have almost an even break.



The Senator would not infer that the Members of the Tennessee delegation who voted for the bill are Communists, would he?

Mr. McKELLAR. I shall not make any statement about it.

Mr. MEAD. What is the Senator's opinion?

Mr. McKELLAR. I should like to ask the Senator from New York a question, inasmuch as he has asked me about Tennessee. This bill was introduced, fathered, and put forth by the Communists as a body. The author of the bill puts himself down as a labor man. I wish to say now that if ever there was a man in this body who has voted consistently for every possible labor measure, I am he. Senators may verify my statement by examining the Record. From my early childhood I made my way by working hard on the farm. I have every sympathy with the man who makes his living by the sweat of his brow. I have tried in every possible way to uphold and defend labor in every one of its activities, when it was humanly possible for me to do so. However, when labor organizations undertake to repeal constitutional provisions of our Constitution by a legislative act, I have to part company with them; I cannot go along with them. I would violate my oath of office if I should do so. I should like to go along with the laboring people all along the line, but I am a free man. I feel that it is my duty to be free and untrammelled in this body, and cast my vote only for what I believe to be right. I have done so for a long time, and I shall continue to do so in the future, notwithstanding what any groups, such as I shall name in a few minutes, have to say about it.

I will say to my friend from New York that perhaps I did him an injustice yesterday when I asked him why he, as a Democrat, was sponsoring with such strenuous activity a bill which had been introduced by a representative of another party, namely, the Labor Party. However, today I have been informed—I do not know whether my information is correct, and I will ask my friend to correct me if I have been misinformed—that the Senator not only received the nomination of the Democrats in New York, but the nomination of the Labor Party of New York as well. Will the Senator explain whether I have been correctly informed?

Mr. MEAD. Mr. President, I should like very much to answer the Senator's question. However, I should like to obtain the Senator's judgment on the Tennessee Members of the other House who voted for the bill. I will say to the Senator that the President of the United States, a former Governor of New York, Herbert Lehman, and the senior Senator from the State of New York [Mr. WAGNER], all received the endorsement of the Labor Party, and the junior Senator from New York was very happy to be included in that very select group.

Mr. McKELLAR. I thank the Senator.

Mr. MEAD. If the Senator wishes, I have the names of some of the persons who are on the National Committee to Abolish the Poll Tax. I am sending for

a list of the remainder, and I hope to have it in a few minutes.

Mr. McKELLAR. I shall submit a list of names, and I shall be glad to accept the Senator's list when it arrives. I hope the Senator's list will be longer than mine.

Mr. President, I again quote from Mr. Jennings Perry:

Nor is it that they are necessarily afraid of the votes of those now advocating repeal of the poll tax, but rather that they are afraid of democracy, afraid of their fate at the hands of the whole people, who should have backed their scepter of sovereignty—which of a right is without question theirs—the ballot.

That statement is also without foundation in fact. It is true that Mr. Perry is entirely correct in saying that the ballot in the hands of the people is the most important single part of our constitutional and representative form of government.

The ballot, under the law, whereby all questions can be passed upon by the duly and honestly qualified voters, is an incalculable power for right in the hands of the people. Our Government has been in existence approximately 155 years. It was the beginning of constitutional government in the world, and look at what it has done, first, for our own people, and then for the remainder of the world. For our own people we have established the greatest and best government that was ever established among men—constitutional government. It gives greater freedom, it has brought about greater education, greater knowledge, greater desire for knowledge, and greater information on every subject in the world than can be found perhaps in all other nations combined. It has established the rule of the people against all enemies, foreign and domestic. It has established also the rule of the people against isms, against cranks, against idiosyncrasies, against folly, and against dishonesty and corruption. It established the fact that men and women are able to govern themselves by the ballot under the guidance of law and order, and the Constitution.

Our Constitution has been copied by all the forward-looking nations of the world. They have not always retained their constitutions, but wherever they have retained them they have risen to higher and better things.

We have established the greatest prosperity that was ever known among men. Any man or woman who works in this country today receives the highest wage anyone has ever received in the history of time. Yet workers are complaining about our constitutional Government, and wish to substitute for it the rule of cliques, isms, cranks, and what not.

We have established religious freedom in the highest and best sense. We have established the greatest leadership ever known among men. We have established racial freedom in the highest and best sense. That does not mean that all men and women in this country shall be equal with all other men and women.

Did it ever occur to Senators that God Almighty made the men and women in this world? He did not make them all the same. He did not make them all

equal. We cannot overrule God Almighty. We have never been able to do so. Men have tried to do so throughout the centuries, but have not accomplished it. We cannot violate the decrees of God Almighty Himself. We must look at things, not as we would have them, but as they actually are, and we must legislate on that theory.

We have a wonderful government, and it will become greater, stronger, and better all the time if idealists, cranks, and men and women without knowledge of what they are undertaking to do will leave it alone.

Of course, the Constitution is subject to change, and the Constitution points out exactly how it can be changed. The Constitution provides that when conditions arise calling for a change it can be changed by an amendment if the people desire to change it. It does not provide that it can be changed by an act of Congress.

If it is desired to take all power out of the hands of the States and put it wholly in the hands of the Central Government, it can be done under a constitutional measure. It cannot be done under an act of Congress. That fact should be apparent to anyone. It is surprising how many Americans, with all the facilities of education at their command, cannot understand such a simple fact, namely, that we cannot repeal a constitutional provision by an act of Congress.

Again I quote from Mr. Perry:

And once more, for the sake of reportorial accuracy, may I caution against easy acceptance of the views of a few magnolia-scented Senators as the view of the South.

I do not know who the "magnolia-scented" Senators are or what that means. I am sorry the Senator from Florida and the Senator from Alabama are not present because there are more magnolias along the coasts of their States than anywhere else. Perhaps the Senator from Louisiana can enlighten me.

Mr. ELLENDER. The magnolia grows profusely in Louisiana; it is our State flower.

Mr. McKELLAR. Is there anything dishonorable about magnolia perfume?

Mr. ELLENDER. I should say not. I do not know of any blossom that has a sweeter perfume.

Mr. McKELLAR. I continue to read from the same writer:

The South will be able to make known its view only when it shall have regained its voice at the polls.

That means that whenever Mr. Perry can run for office in Tennessee and obtain it. I think it will be a long, long time before he reaches that goal.

Mr. Perry speaks of southern Senators as "magnolia-scented." As the Senator from Louisiana says, magnolia blossoms are very sweetly scented. I do not know what Mr. Perry means by the expression. Of course, it is a silly and ridiculous statement. I imagine it is in keeping with communism to use that kind of expression.

I wish to say, however, that this man Perry, as I have said before, is one of my most unrelenting foes. He has written more defamatory articles about me than probably any other man in Tennessee.

I want again to call the attention of the Senate to the fact that recently he wrote the editorial on the soldier's voting law, and sent it to every Senator. That was the bill that I followed my distinguished friend from Arkansas and my distinguished friend from Mississippi in submitting to the Senate, and it finally passed. He wrote a perfectly outrageous editorial about it.

The owner of the newspaper was not the author of the editorial, for the owner of the paper could not have written it. I will say this much for Mr. Perry, that his boss, Mr. Evans, did not have sense enough to write an editorial of that kind but he did have the effrontery to attach his card to a copy of the editorial and send it to me. I answered him by telegram. Mr. Evans never published the telegram. I dare him to do so, and I dare the other man to do so.

Certainly neither democracy nor the southern people are represented by Mr. Jennings Perry or the newspaper of which he is at present editor, the Nashville Tennessean, owned by one Silliman Evans from Texas.

Mr. Perry is a Tennessean as I said before. If I ever saw him I do not recall it. I imagine he thinks he is a great thinker and writer but he is not a Democrat. He is a Communist, but certainly he is not a Democrat, and the newspaper for which he writes is a Communist newspaper. I again refer to it, and I am going to appeal to the Democrats of Tennessee to establish another Democratic newspaper in middle Tennessee, in that great section of sterling Democrats, that great section that produced such Democrats as Andrew Jackson, James K. Polk, Felix Grundy, and hundreds of others. I want to appeal to them to establish a Democratic newspaper, and not be dishonored by a communistic paper such as is being published there now.

Now, Mr. President, I come to the last thing to which I desire to call attention.

As we all know the principal lobby for the Marcantonio poll-tax repeal bill is the National Committee to Abolish the Poll Tax, an organization begun, as I am informed, by the late Representative Geyer, of California, who is supposed to have introduced the first anti-poll-tax bill in the House at the request of the Southern Human Welfare Conference, which was held some years back. The chairman of the National Committee to Abolish the Poll Tax in the United States is the same Jennings Perry of the Nashville Tennessean.

Not long ago one of the evening newspapers of New York carried a story that Senator MEAD, floor manager of the Marcantonio bill, was called on by a delegation representing the New York State Committee to Abolish the Poll Tax, to press for the enactment of the repeal bill. These delegates, all New Yorkers, are evidently a unit of the organization headed by Mr. Perry. That bill is not a Democratic measure; it has never been recommended by the Democratic Party.

The Senator from New York stated that it is favored by the President of the United States. If ever the President of the United States sent a message asking Congress to enact the poll-tax bill I do not recall it. Will the Senator from New York tell me when such a message came to the Congress?

Mr. MEAD. If I may reply, I said that the President of the United States favors the elimination of the poll tax. I quoted a number of others from the RECORD. I have the RECORD and I will read it to my distinguished colleague from Tennessee if he desires.

Mr. McKELLAR. But there was sent here no message asking the Congress to repeal the poll tax by an act of Congress.

Mr. MEAD. I do not believe anybody has so contended.

Mr. McKELLAR. I will ask the Senator has the President ever said to anyone, to the Senator from New York, or anyone else, that he favored the pending bill?

Mr. MEAD. He certainly has not said so to me; but there is a statement in the record before the Judiciary Committee made by some one of the witnesses to the effect that the President of the United States favored the elimination of the poll tax. There were other statements that went on to show that the Governors of States favored the repeal of the poll tax. I thought I could properly quote from the statements of outstanding Americans I found in the record who favor the repeal of the poll tax.

Mr. McKELLAR. I am nearly through. I will give the Senator in a few moments the names of the ladies and gentlemen who, according to the newspapers—I am merely using the newspapers as my authority; and, if I am wrong, I want to be corrected for I would not want to do the Senator any injustice—have been so active in the anti-poll-tax committee in New York. I shall read the names of those who have been in Washington for some time making very vigorous efforts to push this bill along to a victorious conclusion.

Mr. MEAD. There is nothing unusual in that. It will be remembered that a few years ago there were delegations before Congress pushing the T. V. A. very vigorously. That is a right every American enjoys.

Mr. McKELLAR. Again the Senator is wrong when he talks about the T. V. A. Instead of a committee being here to build dams on the Tennessee River Mr. Lillenthal and Dr. Morgan were both here lobbying against the building of dams, on the ground that the Government was not going to be put in competition with the private power companies. The dams in Tennessee were built by the efforts of the Appropriations Committees and the Congress and not by the lobbyists who were here working against them.

I proceed. Representative Geyer is supposed to have introduced the first anti-poll-tax bill in the House at the request of the Southern Human Welfare Conference. The National Committee to Abolish the Poll Tax, which coordinates the lobby of the C. I. O. to other labor, church, and Negro groups, according to

Perry, is the spokesman for the South. Now Senators will find who is speaking for the South, when Perry speaks for the South, as he did last Sunday.

Recently the Senator from New York, floor manager for the Marcantonio bill, was called upon by a delegation, so a New York newspaper states, representing the New York State Committee to Abolish the Poll Tax, to press for enactment of the repeal bill. I wonder if this delegation, all New Yorkers, were representatives of a unit of the organization headed by Mr. Perry. I suppose so, because his name is at the head of the organization. He is chairman of the national organization, as well as of other organizations along that line.

Mr. MEAD. Will the Senator yield?

Mr. McKELLAR. I yield.

Mr. MEAD. From what is the Senator reading?

Mr. McKELLAR. I am reading from my speech.

Mr. MEAD. It is the Senator's own speech?

Mr. McKELLAR. Yes. I ask southern Senators whether these folks are speaking for them. I wish now to give the names. They are as follows:

Larry Washington, Eighth Avenue, New York City, for the Joint Board of Fur Dressers and Dyers.

Lola Valder, Eighth Avenue, New York City, for the C. I. O. Electrical Workers Union, No. 450, Brooklyn, N. Y.

Rev. Donald W. Struckler, Hollidavenu Congregational Church, New York City, chairman of the Committee for Social Action, New York City.

Seymour Slavin, Brooklyn, for the Marine and Shipbuilders Local No. 13, East New York.

Minnie Mintz, Brooklyn, for the S. C. M. W. A., New York district.

Mrs. J. C. Guggenheimer, East Nineteenth Street, New York City, for the International Labor Defense.

Joseph R. Brodsky, general counsel, International Workers Order.

Mrs. Laine Friedman, Peoples Committee, Coronada (N. Y.) Branch, and North Shore Interracial Interfaith Conference.

John Ray, secretary-treasurer, Chefs and Cooks Local No. 89, New York City.

Dora Shaw, for Local No. 65, Wholesale and Warehouse Workers, C. I. O., New York City.

Maude Jett, National Negro Congress, Lenox Avenue, New York City.

Bert Jemnett, for Laundry Workers Joining Board, Fifth Avenue, New York City.

Irving Gilman, vice president, Newspaper Guild of New York, C. I. O.

Rev. Richard Worford, for the United Christian Council for Democracy.

E. Pauline Myers, assistant administrator, Federal Council of Negro Churches in America.

Mr. President, Mr. Perry is speaking for this committee and those associated with it. He is not speaking for Tennessee. These are his associates.

Mr. McCLELLAN. Mr. President—The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator



from Tennessee yield to the Senator from Arkansas?

Mr. McKELLAR. I yield.

Mr. McCLELLAN. Are there any leaders from the South in that group?

Mr. McKELLAR. None that I know of. The only one who claims to be a leader—and I have understood the reason for his being a leader—is this man Jennings Perry. He was put in as chairman, and there is some question about his chairmanship. I think someone else claims the real chairmanship. He was merely put in as chairman so they could say to the Congress, especially to the Senate, because the matter is now before the Senate, that this was a leader of white democracy in the South, this Communist, this man who is false to everything to which decent men subscribe, this man who is false to his State, who is false to his section, who is false to democracy, who is not a Democrat, and never has been a Democrat. They are using him to give the impression elsewhere that the South is really for the pending bill. The South is not for the bill. Neither Mr. Perry nor Mr. Evans, one the alleged owner and the other the alleged editor of the Tennessean, is a representative of the South.

They do not represent what we in Tennessee believe in. They do not represent the Democratic Party. They do not represent Tennessee. They are not affiliated at the present time with the Democratic Party. They are fighting the Democratic Party in their paper. They denounced the Jefferson Day dinner, held in the interest of the Democratic Party in Tennessee. They are exceedingly critical of the Democratic Party.

Mr. President, the principal speech at the Jefferson Day dinner, heretofore spoken of, was made by the distinguished Postmaster General, General Walker, of New York. He made one of the finest speeches I have listened to for a long time. He is a grand man, an upstanding Democrat, an upstanding American, who is fulfilling his duties in the highest and best way. He is running the largest government business organization in all the world. He gets appropriations from the United States Government; and, incidentally, he is not above coming to the Congress to get them. He gets a billion dollars a year in appropriations with which to operate the Post Office Department, and in some ways he is the strangest man I ever knew. General Walker has no compunctions about obtaining receipts, and his receipts amount to \$2,000,000 more than his appropriations. Every single dollar of money he receives, amounting to over a billion dollars a year, he pays into the Treasury of the United States. Did I say every dollar? I am mistaken; when one buys a 1-cent postage stamp from any postal official and pays the 1 cent, that 1 cent goes into the Treasury of the United States for general purposes. I take off my hat to a man like General Walker, an honest man, a man who believes in the Constitution and the laws of the country, and stands up for them, and is not ashamed to do it.

Mr. EASTLAND. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. EASTLAND. The distinguished Senator from Tennessee a few moments ago discussed the forces and the influences, the pressure groups, and particularly the Communist Party and the C. I. O., which are pushing this measure. I wish to read to the Senator from the Communist Party platform of 1928. This platform was readopted at each of their subsequent conventions. I wish to read it to show what, in addition to the poll tax, was the reason for the assault on the Constitution of the United States which this fight is. The platform first advocates the abolition of the right to private ownership of property in the United States, the destruction of free speech, freedom of the press, and the establishment of a dictatorship in this country. It advocates repeal of the poll tax. Then I will read another section, and all this is in issue in connection with the present controversy. I read demand No. 4:

Abolition of laws forbidding intermarriage of persons of different races.

There is another reason why these radical, communistic organizations desire the destruction of the American Constitution. They realize that so long as a State is in possession of all its powers which were reserved to it when the Constitution was adopted, there can never be a socialistic or communistic society in America. The Communist Party changed its name in January of this year. I have in my hand, and should like to call it to the attention of Senators, a secret manual which this party has prepared for use in the year 1944, to show how it is acting, and how it is urging the passage of the pending measure, not simply for the purpose of doing away with the poll tax, but to destroy the Constitution and to destroy the ownership of property, and the rights which belong to freemen in the United States.

Mr. McKELLAR. Including the freedom of the press.

Mr. EASTLAND. Yes; and freedom of speech, and the right to own property. If they can destroy the Constitution there is not an insurance policy which is safe in this country.

I read from page 8 of the secret manual:

The change in name, however, does not denote a change in the Marxist character of the Communist organization in America. As a Marxist political organization, representing the most advanced working-class forces within the country, bound up with the rich historical working class and generally democratic traditions of our own country, with the traditions of the international working class, the Communist organization will continue to exist, develop, and grow to achieve an increasingly honored place in American life. The Communist organization remains the only political organization representing and leading the struggle for socialism, and through the leadership of which the people will realize the aim of socialism. The Communist movement in the United States will continue to devote its energies especially to the strengthening of working-class unity and farmer-labor unity, raising labor's political

and organizational consciousness and its responsibilities to the interests of the Nation and our people as a whole. As such an organization, the Communist movement is indispensable to America.

In other words, Mr. President, first, the Communist Party was dissolved, but I am told that its essential philosophy remains, and that it will still wage internal war on America to set up a communistic state.

Then, further, as to the aims of this group, anti-poll-tax legislation is listed among a number of aims, accomplishment of which would destroy this country and which would enslave the American people. How do they say they are going to bring that about? I read from page 18 of the manual:

For instance, a war-activities committee, an antidiscrimination committee, a legislative and political-action committee.

Mr. McKELLAR. It is here in the Senate gallery.

Mr. EASTLAND. Yes; it is here in the Senate gallery. I do not know whether Sidney Hillman is here. But let us consider the aims of the C. I. O. political-action committee. Here is the very resolution which authorized its formation by the C. I. O. executive council, and I am informed that 18 members of that council are Communists and agitators and leaders of the communistic movement in this country. Consider what it stands for, and then consider the list of secret Communist aims in the United States, and word for word and number for number they are identical. Here we have the C. I. O. political-action committee as the principal moving force behind the proposed legislation. It is carrying out the dictates of the Communist Party; it is carrying them out under the leadership of a man who was born in Russia, whose name is an alias, a man going by the name of Hillman, which is a false name, who is attempting to destroy this country—to destroy our system of government—the right, the privileges, and the liberties which were built here by men who came from the English isles years ago.

Mr. President, that is the moving force behind the proposed legislation. I think the Senate of the United States, in addition to putting its foot down now and stopping this Communist drive by the defeat of this measure, should go also into the question of the finances of the C. I. O. Political Action Committee. It is communistic. It is attempting to destroy our Government. We should by all means follow the slimy trail of that money to see for whom the committee is spending it and how it is spending it to destroy our country.

Mr. McKELLAR. Mr. President, what has been stated so clearly and so excellently by my friend the Senator from Mississippi constitutes in very large part the reason why I am opposed to the bill. The bill is nothing in the world but a Communist bill, gotten up by a Communist and supported by a Communist. I do not mean the Senator from New York [Mr. MEAD]. I must say that I have known the Senator from New York for

many, many years. He is a grand man and a fine character, and I simply hate to see him let the tail wag the dog. I do not mean that in any improper sense, either. It is simply an expression which we use to describe a situation, and the situation which I wish to describe now is, and that is this: The Senator received the nomination of the great Democratic Party, one of the greatest parties that has ever been constituted among men, the greatest, according to my notion, and he was also nominated by an offshoot of the Communist Party, which is the so-called Labor Party, but it does not really represent honest-to-god labor. It represents very largely the party which wants to use labor, or misuse labor. I hope the Senator's experience with this bill will be of value to him. The bill is not going to be passed. A constitutional provision, or two constitutional provisions, cannot be repealed by an act of Congress, however plausibly such action may be argued. It is impossible to do that. Since it has been seen during the debate that the overwhelming thought respecting the bill is that it ought not to pass, I hope the Senator will act accordingly. The Senator has not had a single Senator join him in speaking for the bill. I wonder if I am correct in making that statement. I do not wish to make a statement which is not correct; but, as I recall there has been no other Senator except the Senator from New York who has stood up and spoken for the bill.

Mr. MEAD. There are four on the side of the Senator from Tennessee and two on our side. So far we are only two behind.

Mr. McKELLAR. Who was on the Senator's side?

Mr. MEAD. The Senator from Nevada [Mr. McCARRAN], the chairman of the Judiciary Committee.

Mr. McKELLAR. The Senator from Nevada simply presented the bill. He did not argue in favor of it.

Mr. MEAD. He made a very effective appeal for it.

Mr. McKELLAR. He may have appealed for the bill, but he is going to vote against cloture. It does not seem to me that I have heard any argument for the bill or work done for the bill except on the part of the Senator from New York. I admire the Senator's bravery in fighting alone for a measure which undoubtedly he thinks is right. The Senator, though he is not a lawyer, thinks Congress can repeal a constitutional provision. I believe the Senator said he is not a lawyer.

Mr. MEAD. That is correct.

Mr. McKELLAR. I do not blame the Senator at all for thinking that he can succeed in having Congress repeal a constitutional provision; but a constitutional provision cannot be repealed by act of Congress. We cannot blame an individual who is not a lawyer for taking such a position. I think the Senator is wrong in his position. Loving the Senator as I do, and we have been friends for twenty-odd years, I hope the Senator will give up what I believe to be an attempt, though a futile attempt, to destroy the Constitution of the United States, which has done labor more good

than any instrument ever created by man.

Mr. EASTLAND. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. STEWART in the chair). Does the Senator from Tennessee yield to the Senator from Mississippi?

Mr. McKELLAR. I yield.

Mr. EASTLAND. I agree entirely with the distinguished senior Senator from Tennessee in his references to the Senator from New York.

Yesterday the Senator from New York made the argument that the Senate Committee on the Judiciary had studied the bill and had declared it constitutional. Is not that correct?

Mr. MEAD. No, Mr. President; I said a majority of the committee assumed the bill was constitutional.

Mr. EASTLAND. That is right; the Senator said a majority of the committee assumed it was constitutional. But the facts are that a subcommittee really studied the bill and really went to its vitals, so I am informed, and a majority of that subcommittee held that the bill was in the face of the Constitution, and should not be enacted. I was informed to that effect yesterday by the distinguished Senator from Vermont [Mr. AUSTIN].

Mr. President, inasmuch as the Senator from Tennessee has made statements about the communistic influences behind this measure, will the Senator not agree with me that the poll tax is not really the issue here, but that the vital issue is the attempt of these organizations to destroy the Constitution of the United States and the rights and privileges guaranteed to all the people of the United States by that instrument?

Mr. McKELLAR. That is true. The Constitution of the United States is the greatest enemy the Communists have. Can anyone wonder that the Communists want to destroy it? I do not wonder. They do not believe in the Constitution of the United States. They think it is outworn, that it is outdated, that it is not in their interest.

Mr. EASTLAND. That is correct.

Mr. McKELLAR. They do not want it. They want to destroy it.

Mr. EASTLAND. Our system of government makes it impossible to have a communistic government, so long as the rights of the States, as guaranteed in the Constitution, are not violated.

Mr. McKELLAR. That is correct.

Mr. EASTLAND. The wish of the Communists is to destroy our Constitution and destroy our system of government, so that they can create a Communist state in America.

Mr. McKELLAR. That is true.

Mr. EASTLAND. That is the issue behind the present controversy.

Mr. McKELLAR. That is what worries me. Of course, there is no question that the bill will not be passed. It will be defeated, and it will be a godsend to the people of this country to have it defeated. The only thing I am unhappy about is the part played by a man whom I esteem, respect, admire, and like, as I do the distinguished junior Senator from

New York, who has made such a manly, single-handed fight for the bill. I wish to say to the junior Senator from New York that if there is a Communist in his State who hereafter does not vote for him, regardless of anything else, he is an ingrate. The Senator has made a noble single-handed fight here. No one has fought for him. The whole Senate at heart is really opposed to him, if I am able to judge.

Mr. EASTLAND. Mr. President, if the Senator will further yield to me, let me say that I agree with him in his statements about the Senator from New York. But does not the distinguished senior Senator from Tennessee think the Senator from New York has seen the light?

Mr. McKELLAR. I hope so. I will tell the Senator what I am going to do in the future. I am going to use every good office and endeavor of which I am capable to get him to stay with the Democrats, and to leave the Communists out of the picture, when it comes to the attempts of the Communists or others to destroy the Constitution. However, much he may feel grateful to them, I hope he will not let them destroy the Constitution of the United States.

Mr. EASTLAND. Mr. President, will the Senator further yield?

Mr. McKELLAR. I yield.

Mr. EASTLAND. I have letters from the State of New York which show that the Communist organizations in various towns in that State are operating as pressure groups to have sent to Senators in Washington letters and telegrams in favor of the pending bill.

Mr. McKELLAR. Yes.

Mr. EASTLAND. In the next day or two, I am going to give those letters to the distinguished junior Senator from New York, so that he can see what is behind this bill, and so that in the days which lie ahead he will join in the effort to protect and preserve the Constitution which makes it possible for him so ably to represent his constituents.

Mr. McKELLAR. Mr. President, the Senator from New York, as we all know and have seen, has made a wonderful fight for the Communists, especially those of his State. I think there probably are more there than anywhere else; at least, those in New York are louder in their protestations. There may not be more of them there; there may be more in other places—for instance, in California, or Illinois, or in Tennessee; but those in other States are not so vociferous as are those in New York. Of course, the committees which have come to Washington, headed by the distinguished Communist editor of the Nashville Tennessean, have been very loud in their protestations. I think the Senator from New York should be complimented for his zeal and his work in one of the worst causes I have ever known. I hope he will never work so hard in another bad cause.

Mr. MEAD. Mr. President, will my colleague from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. MEAD. My colleague has been very gracious to me, although there was a little irony in his wit.



Mr. McKELLAR. Oh, no; I intended it as an honest expression. I like the Senator from New York.

Mr. MEAD. Mr. President, inasmuch as the Senator from Tennessee has wished that the entire Communist vote in New York State would be for me, I shall wish for him that, after we pass the bill, and give the right to vote to all the people of Tennessee, including those unable to pay poll taxes, the large percentage of the people who did not vote in Tennessee in 1940—when the President of the United States, the greatest living Democrat, was a candidate for reelection—will join in voting for my good friend the senior Senator from the State of Tennessee.

Mr. McKELLAR. Mr. President, let me say that they not only voted for President Roosevelt in 1940, but, confidentially, they are going to vote for him and elect him in 1944. So, regardless of what the percentage may be, they are going to vote for President Roosevelt and are going to elect him again, and he will carry the State of Tennessee.

Mr. President, I yield the floor.

[During the course of Mr. McKELLAR's speech the following occurred, which was ordered to be transposed to this point in the Record:]

Mr. BARKLEY. Mr. President—

Mr. McKELLAR. I should like to yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wished to say that I desire to file a motion for the closing of debate.

Mr. McKELLAR. I am delighted to yield.

Mr. CONNALLY. Mr. President, reserving the right to object, the Senator does not want to close the debate immediately, does he?

Mr. BARKLEY. No; I cannot close it now.

Mr. President, will the Senator yield?

Mr. McKELLAR. Oh, yes. I should not be particular about it if the debate were closed now. However, I should like to ask the Senator a question when he has finished.

Mr. BARKLEY. Mr. President, I do not object to being asked a question when I am discussing the matter in my own right. I think the question would be more appropriate at that time.

Mr. President, under rule XXII, I file a motion for closing debate on House bill 7. Under the rule, 16 signatures of Senators are required. The motion contains the names of 29 Senators.

I ask that my remarks and the filing of the motion be made to appear in the Record at the conclusion of the address of the Senator from Tennessee.

The PRESIDING OFFICER. Without objection, that will be done; but under rule XXII it is provided that the Presiding Officer shall at once state the motion to the Senate.

Mr. McKELLAR. I yield to the Presiding Officer to state the motion.

The PRESIDING OFFICER. Under rule XXII, when a cloture motion is presented it is the duty of the Presiding Officer to state it to the Senate. If there is no objection, in lieu of action by the Chair the clerk will state the motion to the Senate as a compliance with the rules.

The Chief Clerk read as follows:

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close the debate upon the bill (H. R. 7) making unlawful the requirement for the payment of a poll tax as a prerequisite to voting in a primary or other election for national officers.

ALBEN W. BARKLEY, ROBERT M. LA FOLLETTE, JR., JAMES J. DAVIS, WILLIAM LANGER, A. H. VANDENBERG, SHERIDAN DOWNER, C., WAYLAND BROOKS, HOMER FERGUSON, JOSEPH F. GUFFEY, JAMES M. MEAD, JAMES E. MURRAY, FRANCIS MALONEY, SAMUEL D. JACKSON, ABE MURDOCK, JAMES M. TUNNELL, DAVID I. WALSH, SCOTT LUCAS, ARTHUR CAPPER, ELMER THOMAS, GUY CORDON, ROBERT F. WAGNER, H. M. KILGORE, BENNETT CHAMP CLARK, ROBERT A. TAFT, KENNETH S. WHERRY, THEODORE F. GREEN, ELBERT D. THOMAS, JOSEPH H. BALL, HAROLD H. BURTON.

Mr. BARKLEY. Mr. President, if the Senator from Tennessee will yield further—

Mr. McKELLAR. Certainly.

Mr. BARKLEY. For the information of the Senate I might observe, in order that the Senate may understand the procedure and govern themselves accordingly, that under the rules the motion has to lie over until the second day on which the Senate is in session after the motion is made. On account of the absence of a number of Senators on Saturday, I have been requested to move that the Senate recess from tomorrow until Monday, so that the Senate will not be in session on Saturday, and, therefore, under the rules the vote on the motion to close debate will come 1 hour from the meeting of the Senate on Monday, which will be 1 o'clock, at which time the Chair is required under the rule to call for a quorum, and then to have a vote taken on the motion without debate.

Mr. McKELLAR. I thank the Senator.

Mr. BARKLEY. I thank the Senator from Tennessee for yielding.

Mr. McKELLAR. I thank the Senator from Kentucky for filing the motion.

Mr. BARKLEY. I hope the Senator will not conclude by any stretch of the imagination that I want to close the debate now while he is speaking.

Mr. McKELLAR. Oh, no; I do not reach any such conclusion.

After the conclusion of Mr. McKELLAR's speech,

Mr. MEAD. Mr. President, I merely wish to call to the attention of the Senate very briefly a list of fellow travelers—that is, fellow travelers if we will assume, as has been suggested on the floor of the Senate, that everyone who favors the pending bill, who works for the bill, and who supports the bill, is a Communist.

Some Senators have taken the time in this debate to brand this bill as an all-out communistic effort, and to say that no one except Communists is interested in the measure. The way in which they use the term Communist would lead me to believe that they are not trying to have many votes cast in favor of the bill.

So, Mr. President, I thought I would state for the Record that on May 24, 1943, a vote on the bill was taken in the House of Representatives. In that vote,

268 Members of the House of Representatives were for the bill. They were not members of the Communist Party; they were Republicans and Democrats, and they included four of the nine Representatives from Tennessee, two of the four being Republicans, and two being Democrats. Two hundred and sixty-eight Members of the House of Representatives voted for the bill, and took the same position I am taking; and one of the Representatives from Tennessee made one of the best speeches which was made for the bill during that debate.

The very next day, 265 Members of the House of Representatives again stood up and supported the bill.

Mr. President, the National Committee to Abolish the Poll Tax has on its roster the names of some persons who I believe are affiliated with the Republican Party, and some who are affiliated with the Democratic Party. I note on the list, among others, the name of Hon. JOSEPH CLARK BALDWIN, a Representative in Congress from the State of New York. No one has ever accused him of being a Communist. I find also the name of Harry C. Bates, of the labor movement. Then there is Hon. GEORGE BENDER, a Member of Congress. I have never heard him branded as a Communist.

There is also the name of Mrs. Louis D. Brandeis, the beloved wife of that eminent jurist who passed away only a few years ago.

I notice also the name of a United States Senator. This is a very important announcement, Mr. President. I am sure he would be surprised to know that he is listed among the Communists. I am sorry that he is not present, because he is the only Senator on the list. The lovable ARTHUR CAPPER, of Kansas, is one of the National Committee to Abolish the Poll Tax, which has just been so severely treated on the floor of the Senate.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. McKELLAR. I read his name into the Record a while ago. The Senator is late.

Mr. MEAD. I thought it would be well to emphasize it.

Then there is Thomas H. Eliot, whose father's name is linked with Harvard University. I presume probably the opponents of the bill would link that university with the Communist effort behind the bill. I do not know.

Then there is Dr. Harry Emerson Fosdick, one of the great leaders of religious life in this country.

Another name is that of Hon. Joseph Gavagan, a judge in the State of New York.

Lest I be accused of sectional preference, let me read the name of Dr. Frank P. Graham, president of the University of North Carolina.

As we go down the list, we see the names of Knute Hill, a former Member of Congress; Paul Kellogg; Robert W. Kenney, attorney general of the State of California; and Dorothy S. McAllister, heading the women's division of the Democratic Party. She belongs to the party of Jefferson. We find also the name of Bishop McConnell, one of the leading churchmen of the Methodist

Church; Rev. A. J. Murphy; Rt. Rev. Edward L. Parsons, of the Catholic Church; and Rev. John A. Ryan, of the Catholic University.

There are a number of other names, Mr. President, including that of Mrs. Sherwood Anderson, industrial secretary of the national board of the Young Women's Christian Association. She lives in Virginia. She is very anxious that the poll tax be eliminated.

I call the attention of the Senate again to the fact that 268 Members of the House voted for the bill. Some of the debate would lead us to believe that they are "fellow travelers." They represent States all the way from Oregon to Texas, Tennessee, and Florida. All but a few States are represented. They believed in the justice of this bill. They assumed that it was constitutional, and they sent it to the Senate, where the Judiciary Committee, an agency of the Senate, composed of some of the best legal experts, considered its constitutionality and reported it favorably. I know it will be news to them to know that they reported a Communist bill, a bill which has been before us for years.

Mr. President, the opponents of the bill are not fooling anyone. The technique of associating the bill with the Communist Party will make no votes and few friends for the other side.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. McKELLAR. I hope the Senator from New York, the sole advocate of the bill present in the Chamber, is not filibustering against the bill. I do not believe he is. I think he is trying, properly and courteously, to argue his case. The fact that he has taken a considerable amount of time ought not to be considered—and I do not want it to be considered—as a filibuster against his own bill.

Mr. BAILEY. Mr. President, I do not think the Senator from New York [Mr. MEAD] intended to be offensive. At any rate, I decline to take offense. But when he spoke of the argument which had been produced to show that the bill is supported by the Communist crowd, he proceeded to say that that argument would not deceive anyone. I feel that I must say something, because I advanced the argument to begin with. I think I was the first to offer it in this debate. Of course, I take it that the Senator knows that I was not seeking to deceive anyone. I had not thought about deceiving anyone. I should be very reluctant to think that the Senator thought I wished to deceive anyone.

What I was doing was telling the truth as I saw it from the evidence. I read some of the evidence in my argument. What is it? The only political party in America which has placed this proposal in its platform is the Communist Party. I stated that, and that is a fact. That is one piece of evidence.

Another piece of evidence of considerable probative weight with me is the simple fact that Mr. Sidney Hillman is the head and front of the agitation throughout this country in behalf of the bill.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CONNALLY. Does the Senator object to government of the Communists, by the Communists, and for the Communists?

Mr. BAILEY. In this part of the world I do. I have very great sympathy for the Russian people. I have great admiration for them. If they like communism, I wish them Godspeed. I am supporting them as they defend their country against their enemies and ours. I would not say anything that could possibly offend them or discourage them under these circumstances. My heart is with them as they resist the Axis Powers. If I were as devout a man as I should like to be, my prayers would rise day and night in their behalf. That is the way I feel about it.

I wished to array this little matter as a piece of evidence. It is not a question of deceit. I have never tried to deceive a jury in my life. I have arrayed evidence before juries to prove my case, if possible. I will array the evidence here, and every Senator is a judge. I think the thing required of me is that I shall truthfully state the evidence and my conclusions in all sincerity.

If anyone doubts that Sidney Hillman is the head of the left wing of the Labor Party, I refer him to the junior Senator from New York. He knows all about him. If anyone doubts that the left wing of the amalgamated Labor Party is a communistic wing, made up of communistic men and communistic associations, let him read the latest publication from the Dies committee—the Special Committee to Investigate Un-American Activities. I produce that document. It tells the personal story of each of those men. It tells the story of Sidney Hillman. After reading that report I could not question that Sidney Hillman, the head of the Committee for Political Action of the C. I. O., who came from Russia, went back to Russia, armed with their money, during the stages of the Russian revolution when the late Lenin was in power, dealt with him, and then came back here. He went along with the Labor Party, as a Labor Party man, until he gained sufficient power to create a leftist party. Dean Alfange, who was the candidate of the Labor Party for Governor of New York, found it necessary to denounce him in the New York newspapers in a paid advertisement, a copy of which I have on my desk.

Mr. President, I have no desire to deceive anyone, but I am deeply concerned that no one in America shall be deceived by what is taking place. I have no doubt whatever that Sidney Hillman, the head of the C. I. O. committee for political action, and the head of the left wing of the amalgamated Labor Party, is promulgating communism throughout this country, and is undertaking to do it in my part of the country through the Democratic Party through the process of infiltration. He is undertaking to capture our party. I also think he is trying to capture the party throughout the country by generally supporting the Democratic Party. However, he is not

a Democrat, he never was a Democrat, and he never claimed to be a Democrat. He claims to be the leftist head of the amalgamated Labor Party of America. A list of his associates is printed in the latest publication of the Dies committee. The distinguished junior Senator from New York may read the list if there is any doubt in his mind about who Sidney Hillman's associates may be.

Mr. President, that is all I have to say. I have presented the evidence. I hope the American people will not be deceived by the disposition of the Communist leaders to lie about their plans. They never admit they are Communists. That is one of their processes. They always proceed by indirection.

By way of conclusion, I will also say that I think the process to which I have referred is also the process of practically all the extraordinary organizations. The Senate does not know it. I do not think the American people know it.

I went through the Ku Klux Klan fight in North Carolina. I fought them from the start in 1922, and I fought them until they were whipped. They fought me and I fought them. Finally it fell to me to defend one of their officers who had been charged with embezzlement. I made considerable study of the Ku Klux Klan and, among other things, I learned that its policy was one of deception. Its members had a way of saying that they were not members of the Ku Klux Klan. In order to protect themselves, if any member thought he was going to be asked if he was a member of the Klan he could hand in his resignation, and if he resigned with a proper symbol over his name it would be all well with him in the Klan. The rest of the members would understand, and he would still be a member. However, he would be allowed to say that he was not a member.

No one will come right out in the open and say that he is a Communist. He has to be judged by what he is doing and by his associates. I may tell the Senate that the symbol of membership is in the following initials: I. T. S. U. B. "I hereby offer my resignation as a member of the Ku Klux Klan. I. T. S. U. B."—In these sacred unfulfilling bonds." That is what the initials mean.

Mr. President, what I have said may shed a flood of light on water that has gone down the millrace. That is all I have to say.

Mr. MEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. The Senator from Arkansas [Mrs. CARAWAY] has the floor. Does the Senator from Arkansas yield to the Senator from New York?

Mrs. CARAWAY. I yield.

Mr. MEAD. I did not imply that my distinguished colleague from North Carolina had left the impression that there are any Communists in this body, or in any other body. However, if he had been here throughout the debate today he would agree with me that the fire came a little closer, and by reason of the fact that it was directed at certain individuals it was necessary for me—

Mr. BAILEY. Mr. President, I wonder if I may ask the Senator if the fire got



close enough today to him to scorch his bonnet?

Mr. MEAD. No, the fire did not get that close, but it did come close to many men who have supported the pending bill, and particularly men and women who are in the Association for the Repeal of the Poll Tax. I felt that I should come to their support because there are many of them whom I know to be outstanding in their professions and their vocations. In addition to the name of Jennings Perry, the editor of the Nashville Tennessean, who has been discussed at great length, I read the names of Dr. Will Alexander, vice chairman of the organization, a man who comes from North Carolina and who is now with the War Manpower Commission. There is also Virginia Foster Durr, vice chairman of the organization, a native of Birmingham, Ala., and now residing in Virginia. I merely rose to make sure that the fire which came a little closer did not do an injustice to these persons, and in that statement I am sure that the Senator from North Carolina is in agreement.

Mr. BAILEY. No one has said that every person who is in favor of the proposed legislation is a Communist. I made a proposal, and I remember the language of it. I said that I knew the forces of agitation which had come to my office, and I gave the names. Of course, I do not believe the Senator from New York is a Communist. I would not undertake to classify him. I think I would be going too far if I should undertake to do so. But I certainly would not say that I believe he is a Communist.

As to the president of our State university, I think he has pretty good standing in the State of North Carolina as a gentleman, and as a former soldier in the First World War. He is very much of a scholar, and I think he has a good standing in the Democratic Party as a Democrat of the liberal school. I would not suggest that he is a Communist. I do not believe he is. I would not undertake to classify him especially, and I do not think I have any business to do so. I merely say that to pick out a few individuals and attempt to answer the argument which has been made here by saying that they are not Communists does not reach the situation at all. I assert that there are just two sources here—one is the Association for the Advancement of the Colored People, and the other is Sidney Hilman's C. I. O. committee for political action. The Senators have the evidence; they can judge for themselves.

Mrs. CARAWAY. Mr. President, when we came to the United States Senate each of us held up our hand and took an oath to defend and protect the Constitution of the United States. We did not hold up our hand and take an oath to support and defend any particular group, any particular religion, or any particular class or race, but to defend the Constitution of the United States as it is written. When reading the Constitution we find first the preamble, and then, as the first article of the Constitution, the one dealing with the legislative department.

The legislative department of the Federal Government is placed first as it is the most important. That is why it is dealt with first in the Constitution. The articles dealing with the executive department and with the judicial department follow in their regular order. Of course, they are important; they are of tremendous importance.

The cornerstone of our Government was laid carefully in article I, section 1, which provides:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

The Members of those two bodies constitute the personnel of the Congress—the legislative department.

Then arose the question as to whose duty it should be to place Senators and Representatives in position to become the legislative department of the Nation. The second section of article I provides:

The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.

If any citizen desires to know who are qualified to vote for Representatives and Senators in his State, all he has to do is to look at the constitution of his State and the statutes of his State, and he will find the answer. He will not find it anywhere else.

Mr. President, I am opposed now, and will be at all times, to any act which would infringe upon States' rights by fixing qualifications not authorized by the Constitution. If there is a desire to know what valid legislation can be passed, all one has to do is to look at our charter of government, the Constitution, and if it is not provided in the charter, the Congress does not possess the power.

The Constitution of the United States was created by the States. The States and the Colonies existed long before there was a United States. What is provided in the Constitution is purely a delegation of powers by the States, and the States reserved everything they did not delegate to the general government in the Constitution, and it is so stated in the plainest of language.

So it is, Mr. President, that as a Congress we have not the authority to pass an act which would repeal a qualification laid down in State laws as a qualification for one to vote in an election for a member of the lower house of the legislature of a State.

As to whatever effect, if any, the requirement of the payment of a poll tax or the nonrequirement of the payment of a poll tax would have upon the actual operations of voting at the polls, I think that one of the best statements has been made by the very able columnist, Mark Sullivan. He analyzes the question, and I think very ably shows why it is sometimes necessary to engage in what is termed a "filibuster." What I am saying today is not by way of filibuster, because we are today speaking on the merits of the bill itself.

Why should anyone want to take away from the States of the Union the power over suffrage which for all these years has admittedly belonged to them? Chief Justice White, in referring to the fourteenth amendment, said, among other things, that this amendment does not take away from the State governments the power over suffrage. He said, in substance, the fourteenth amendment recognized the possession of the general powers of the State. While the right of suffrage is left to the respective States, our courts have sufficient power to protect against any denial of constitutional rights relative to qualification of voters.

For over a century there has been more bitter debate in Congress over the question of States' rights than any other subject. It even goes as far back as the days of Hamilton and Jefferson. Why at this particular time should there be brought up the question involving States' rights when we know the Congress of the United States has no authority to encroach upon States' rights? If Congress decides to take away the States' rights and determine the qualification of the voters in the several States, it should seek to do so through a constitutional amendment. I, for one, shall oppose to the end Federal control over election machinery of my State and every other State in this Union.

Mr. President, I think the Senate could spend its time far better by considering measures which will help to bring the war to an early and successful conclusion.

Mr. MEAD. Mr. President, I ask unanimous consent that there be printed in the RECORD a resolution adopted by the Texas State Federation of Labor in 1903, setting out its reasons for fighting against the poll tax.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas the present Texas poll tax violates all the canons of just taxation, inasmuch as it (1) bears equally on men of most unequal ability to pay, (2) is unnecessarily burdensome, (3) must be paid at a time when workers find it most difficult to pay, namely, in midwinter, and (4) has in its penalty of taking away the right to vote, a punishment which is unreasonable and disproportionate.

Mr. MAYBANK. Mr. President, like the distinguished Senators who have preceded me, I regret that in the midst of war, in the midst of trouble and worry, a measure of this kind should be before the Senate. I am glad that the motion for cloture was filed this afternoon, and I am indeed happy that by next Monday we will have the opportunity to vote on the motion. Therefore, Mr. President, knowing that the opponents of the pending bill will readily win, I am happy to believe that this vote will be the end, and it will not be necessary that any prolonged filibuster be conducted.

The constitutional questions have been ably discussed by distinguished lawyers of this body. It is my purpose for a few moments to discuss the financial aspects of the question which have been raised by the Senator from New York who, I

regret, is not present, and also by members of the Communist Party and others, who claim that the payment of the poll tax denies poor people the right to vote and occasions our small vote in the South.

Let me say, first, that in South Carolina there is no poll tax in the primary and let me say further that not only those Democrats who are able to read and write but, unfortunately, the few who cannot write their names are entered upon the books, and they may vote. It is only necessary for them to go to the polls to do so.

The poll tax applies in a general election. Before discussing it more fully, I desire to read the pertinent article from the constitution of the State of South Carolina:

There shall be assessed on all taxable polls of the State between the ages of 21 and 60 years, except Confederate soldiers, an annual tax of \$1 on each poll. The proceeds of which tax shall be expended for school purposes in the several school districts in which it is collected.

The argument has been made by those desiring to repeal the poll tax that it prevents people from voting. South Carolina has been mentioned in the hearings as being one of the States where only a very small vote is cast in general elections. The agitators and Communists and others who desire to overthrow the Government of the United States through their paid hirelings in Washington and elsewhere would have the people think that the only reason why a small vote is cast is because of the poll tax. This is false and absurd.

Let me say again that the poll tax applies only to those between the ages of 21 and 60, and let me say further, Mr. President, that women are exempted. I think the statistics of South Carolina show the population to be about evenly divided. Therefore, half of those between 21 and 60, women, are able to vote without any poll tax, regardless of who they are.

Mr. President, the Senator from New York suggested that in 1940, the year President Roosevelt ran for reelection, perhaps the people of the South were denied the right of voting. The comptroller general of South Carolina furnished me today figures showing the poll taxes assessed in South Carolina during the past 4 years. They are as follows:

1940.....	\$290,457
1941.....	294,543
1942.....	285,131
1943.....	271,179

Mr. President, at a dollar a poll, that means that 290,000 male individuals between the ages of 21 and 60 paid their poll taxes. Allowing for an equal number of females, we would have nearly 600,000 people eligible to vote. But they did not vote, and the Communists and the C. I. O. agitators from the North know that the reason why they did not vote was not the poll tax, but that they did not take the trouble to go to the polls to vote.

The official declaration in South Carolina covering the election of 1940—and remember again that 290,000 people had

paid their poll taxes—showed that the Democratic electors received 95,470 votes, the Jeffersonian Democrats 2,496 votes, one faction of the Republicans received 1,727 votes, and another faction 137 votes.

Mr. President, my thought is that for once and all, in the interest of the good name of my State, that the people of the United States should be told the truth and that is the poll tax has nothing to do with the number of people who vote. In many instances poor people, because of sickness and for other reasons to which I shall refer later, are exempted from paying the poll tax, and no woman has to pay the poll tax; 600,000 could have voted for President Roosevelt, only 95,000 did so.

Mr. President, I wish again to call attention to the numbers paying the poll tax. In 1940, 290,457 paid, and in 1941, 294,543 paid. In other words, when the year was not an election year, more people paid.

I have read the section and the article of the Constitution of South Carolina adopted in 1895, and I now read section 2565 of the Code of Laws of South Carolina for 1932, volume 2:

There shall be assessed on all taxable polls in this State an annual tax of \$1 on each poll, the proceeds of which tax shall be applied solely to educational purposes. All males between the ages of 21 and 60 years, except those incapable of earning a support from being maimed or from any other cause, shall be deemed taxable polls.

In other words, in 1932, if anyone was unable to earn his own support, through being maimed, or for other reasons, he was exempted.

In connection with the part of the section which called attention to the earmarking of the tax for schools, I ask to have inserted in the RECORD a table showing how the tax is broken down by counties in the State of South Carolina, for the white and the colored schools.

The PRESIDING OFFICER (Mr. JACKSON in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

County:	Poll tax
Abbeville.....	\$2,949
Alken.....	8,167
Allendale.....	2,089
Anderson.....	13,421
Bamberg.....	3,481
Barnwell.....	4,137
Beaufort.....	3,103
Berkeley.....	4,302
Calhoun.....	2,180
Charleston.....	8,092
Cherokee.....	4,605
Chester.....	6,149
Chesterfield.....	5,589
Clarendon.....	4,233
Colleton.....	4,647
Darlington.....	17,176
Dillon.....	4,416
Dorchester.....	4,399
Edgefield.....	3,185
Fairfield.....	3,685
Florence.....	9,483
Georgetown.....	4,321
Greenville.....	18,119
Greenwood.....	7,892
Hampton.....	4,299
Horry.....	8,210
Jasper.....	1,618

County:	Poll tax
Kershaw.....	\$2,503
Lancaster.....	4,885
Laurens.....	7,116
Lee.....	3,735
Lexington.....	9,386
McCormick.....	1,439
Marion.....	5,120
Marlboro.....	2,776
Newberry.....	5,810
Oconee.....	2,547
Orangeburg.....	6,414
Pickens.....	5,542
Richland.....	18,146
Saluda.....	3,036
Spartanburg.....	13,716
Sumter.....	5,849
Union.....	3,647
Williamsburg.....	5,586
York.....	6,969

Total..... 271,179

Mr. MAYBANK. Mr. President, I could talk at some length on various phases of the question I am discussing, but they have been ably covered, and will be ably covered by those who follow me, so that I believe it to be far from necessary for me to speak further on those points. However, I wish to impress on the Senate and the people of the United States of America once and for all the fact that insofar as the votes cast on election day are concerned, and insofar as those who have the right to vote are concerned, they have nothing in common. No one pays a poll tax except males between the ages of 21 and 60, who are capable of making their own livelihood, and everyone else—the women and others—are entitled to vote without paying any poll tax. Two hundred and ninety thousand paid the tax in 1940. Add to that number several hundred thousand women and others who are exempted, and it will be found that there was a list of eligible voters in South Carolina numbering certainly three-quarters of a million, but less than 100,000 voted. So, again I say, the poll tax has nothing to do with the number of people who vote; it is an issue which has been raised to fool people, to cover up the truth of this alien movement.

Mr. President, I hope that another year we may not be confronted with the absurd argument that a dollar poll tax results in people being denied the right to vote, when the poll tax is earmarked for education, and when more people pay poll taxes than vote, and when the tax is necessary in the collection of revenue for the support of the schools in our State, just as is the road tax for the support of roads. If the poll tax is to be done away with, why is not the road tax abolished? The road tax is paid by some 260,000, the poll tax by approximately 290,000.

Mr. President, I hope the remarks I have made may be of some benefit and may in some way contradict the absurd, farcical, and fanciful statements by those who desire to destroy the Constitution by making people believe that the payment of \$1 tax by those who earn their livelihood creates a situation in South Carolina, and in the South generally, which makes it impossible for people to cast their ballots. I shall speak



at length on the bill if by chance it should be further debated after the cloture vote.

Mr. McKELLAR. Mr. President, earlier this afternoon the distinguished Senator from North Carolina [Mr. BAILEY] had something to say about Russian Communists, and what a wonderful record they were making in this war, all of which I endorse. The Russians are making a wonderful record in this war and I feel very proud of that record. Nothing I said in my speech applied to Russian communism. I was speaking of American communism, of American Communists or leftists, and not about Russian Communists. I do not want anyone to believe that anything I have said applied to Russian communism. Their communism is a matter for them alone.

Mr. DAVIS. Mr. President, I have no desire to consume an undue amount of the Senate's time, for I am sincerely anxious that the Senate take definite action on the pending bill at the earliest possible moment.

It is for that reason I have signed a petition calling for cloture, and it is for that reason I shall make my remarks here as brief as possible. But in view of the outstanding importance of this particular bill, I feel that I should make clear my stand on this proposal.

We in America have long prided ourselves on being the outstanding symbol of human liberty and popular government in the history of the world. We have repeatedly held ourselves up as a model political organization, under which all men may participate in the election of their governing officials and in the conduct of public affairs.

This bill is in substance a test as to whether or not we do in fact, as well as in theory, attain the standards of free government which we claim for ourselves.

No democracy, no popular form of government, can function efficiently without the full, effective participation of its citizens in that government. The only effective method of participation in a government as large and as complicated as ours is through the right of suffrage. That right in many cases is the citizen's only vehicle of expression and choice. A denial and abridgment of that right is a denial and abridgment of democracy, and it can be construed in no other light.

It is a lamentable commentary to our system of government, Mr. President, that through the poll tax many millions of our citizens are kept from the polls, and effectively denied the right to participate in their Government.

In a number of States in this Federal Union government is carried on by a minority. Statistics will show that in several States elections are decided by but a small fraction of the total adult population. Thus it is that we have within the confines of this constitutional democracy a system which permits the continued control of the Government by a minority.

Mr. President, this condition contributes nothing to the advancement of human progress and the enrichment of human freedom, either in this country or in any other country in the world.

I recall that a poll-tax provision was once inscribed in the Constitution of the State of Pennsylvania, and there arose in that State a concerted agitation for the removal of that provision. There were those at that time who offered almost the identical arguments that are being offered today in defense of the poll tax.

I am proud to say, Mr. President, that I labored long and continuously to effect the removal of the poll-tax requirement from the Constitution of the State of Pennsylvania, for I believed then as I believe now that no citizen of a democracy should be denied the right to participate in his Government simply because he does not possess a given amount of wealth or property.

The plea is made by many that the amount of the poll tax is in itself a very insignificant item, and that anyone who is sincerely interested in casting his ballot can effectively discharge that small obligation. But the fact remains that in this Nation more than one-third of the families are living below a recognized subsistence level, and that any monetary burden placed upon those families is sufficient to prevent their taking part in the elections.

The conditions of poverty and want are especially common among certain groups of our people, with the result that nearly all the members of these groups are effectively denied any active part in their Government by the poll-tax requirement.

If this property or tax requirement is permitted to stand, it may easily become an even more potent force in restricting and undermining the democratic processes, for if a man can be required to pay \$2 he can just as effectively be required to pay \$100 or \$1,000 for the privilege of casting his ballot. Such restrictive devices lead only to oligarchy and tyranny, and they have no place in a Nation which prides itself on the freedom and capacity of its citizens.

I shall not undertake, Mr. President, to discuss the constitutional features of this particular bill, for admittedly there are those committed both to the support and to the opposition of the bill who are much more capable of exhausting in an intelligent and complete manner the various arguments that might be raised regarding the constitutional aspects of the bill.

But I am convinced, through my own study of the pertinent sections of the Constitution and through my own study of this particular bill, that the bill itself represents nothing more than a proper expression of the powers of Congress and a proper exercise of the authority granted to the legislative branch of the National Government.

And as a Member of this body I am willing to cast my vote for the enactment of the bill, for I sincerely believe it lies within the constitutional grant of powers which has been given to the Congress of the United States to enact it. At the present time this Nation and our allies are engaged in a world-shaking armed conflict against the forces of oppression and barbarism. We have proclaimed our sincere objectives of bring-

ing freedom, dignity, and self-government to all men.

We cannot consistently make these proclamations or attain these ends if we demonstrate to the world that we are unable to secure the same conditions within the confines of our own Nation.

The many millions of American men who are carrying the fight to the enemy, who now stand poised to strike the greatest overseas blow in all history, have been taken indiscriminately from the ranks of those who have and those who have not paid a poll tax.

Those who are fighting and dying in order that freedom and human dignity may prevail in the world against regimentation and slavery are fighting also that the same freedoms may be firmly established and protected within their own Nation. I believe the Government would be faithless to its commitments if we did not take definite action to secure those freedoms here at home.

Throughout the course of this historic struggle the eyes of all men who find themselves in chains or who find their basic freedoms threatened by their enemies, have turned to America in the profound hope that this great Nation would extend its full might and purpose to strike down the forces of darkness and to secure the forces of freedom throughout the world.

We in America have often maintained that ours is a government "of the people, by the people, and for the people." The forces against whom we are pitted have maintained that the governments of the world shall be representative of only a part of the people, that they shall be controlled by only a part of the people, and that they shall function for the benefit of only a part of the people.

If, therefore, we permit the continued existence of the poll-tax requirement within the confines of the United States, if we do not strike down this restrictive and undemocratic device, we are in fact subscribing to the very philosophy against which we have pitted ourselves in this war.

If all men are not permitted to participate in their governments—in the selection of their officers and in the regulation of their public affairs—then truly whatever governments are constituted cannot be "of, for, and by the people." Such governments can only represent, can only serve, and can only be controlled by that limited group of individuals who, through the aid of such devices as the poll tax, are able effectively to deny the basic and fundamental privilege of citizenship to the overwhelming majority of the people within their jurisdiction.

I am hopeful, Mr. President, that in view of the pressing need to demonstrate our sincerity in behalf of human freedom, and in view of the pressing need to make clear to the people of our own Nation that our Government is in fact a democracy, the Congress of the United States will take speedy and effective action in approving the pending bill, and in destroying one of the most pernicious and evil restrictions on this society of freemen that has ever come into existence in all our history.

Mr. HILL. Mr. President, I think the Senate will agree that the pending bill has been thoroughly discussed and debated. A number of very eloquent, able, and profound speeches have been made on it. The first was an exceptionally able and eloquent speech by the distinguished senior Senator from Texas [Mr. CONNALLY]. After he concluded his remarks, I felt that everything which could be said on the bill had been said.

He was followed by the very able senior Senator from North Carolina [Mr. BAILEY], who made an exceptionally able speech. The Senator from North Carolina was followed by the distinguished senior Senator from Georgia [Mr. GEORGE], who spoke, as he always does, with great ability.

The distinguished senior Senator from Tennessee [Mr. MCKELLAR] has this afternoon presented the arguments against the pending bill. I doubt if very much, if anything, can be said in addition to what has already been said.

Mr. President, I myself spoke on September 10, 1942, on the matter of Federal legislation abolishing the State poll taxes. At that time I spoke at some length, and rather extensively, on the subject. Later, on November 21 of that year, I spoke in the Senate on the same subject. I have no desire at this time to repeat what I said in those two previous speeches, or to go back over the many arguments which have been presented on the floor of the Senate in opposition to the bill.

We know that on Monday the vote on cloture will come, the petition for cloture already having been filed today by the majority leader, the Senator from Kentucky [Mr. BARKLEY]. I think there is no doubt in the mind of any Senator what the result of that vote will be. The motion for cloture will be defeated. It will, I think, be badly defeated. Under the rules of the Senate, a two-thirds vote is required in order to adopt a motion for cloture. I think a majority of the votes cast on Monday will be against the motion for cloture.

The Senate will not be in session on Saturday. So tomorrow will be the last day when we shall have any debate before the cloture motion is voted on, for I understand that under the rules it must be voted on not later than 1 o'clock on Monday.

In view of the fact that the case has been so ably and so comprehensively presented, I do not wish to delay the Senate at this late hour. I do wish to associate myself in opposition to the pending bill. The people of the State of Alabama, which I have the honor, in part, to represent, not only oppose this bill, they resent it. They feel that the passage of the bill would result in taking from them a very fundamental right which they now have under the Constitution of the United States. They feel that the bill, if enacted into law, would be an attack on the sovereignty of the State of Alabama. They feel that the bill would be an assault on the Constitution of the United States, and that it would strike a terrible blow at the very foundation stones of the dual system of our republican form of government.

Those of us who oppose the bill—many of us, at least—associated ourselves together in solemn and fixed determination that the bill should never pass, if it lay within our power, through any honorable means, to prevent its passage. We resolved that we would use every parliamentary means and every parliamentary device available to us to insure its defeat.

As I said a few moments ago, its defeat now seems certain. We who oppose the bill feel very strongly that we are not only fighting to preserve the rights of our own States but that we are fighting for the rights of all the States. It is not possible, Mr. President, to take a certain right away from one State and not take it away from all the States. It is not possible to assault or impair the sovereignty of one State without assaulting or impairing the sovereignty of all the States.

So we who stand here in opposition to the bill are battling not only for the States which we have the honor to represent, but for the preservation of the rights, the sovereignty, and the constitutional institutions of each and every State in the Republic.

Mr. President, as we know, and as has been brought out time and again during the debate, when the framers of the Constitution wrote the Constitution there was no question about what they intended to do with reference to fixing the qualifications of electors. They wrote in clear and unmistakable language that the fixing of the qualifications of electors should be in the hands of the States; and they did it with the full knowledge that at the time when they wrote the Constitution practically every State in the Union had some property qualification or some tax qualification for an elector, had some property or tax requirement which had to be met before a citizen could enjoy the franchise of the electorate.

The debates in the Constitutional Convention and all contemporary writings which throw light on the proceedings of that Convention lead us inevitably to the conclusion that if the framers of the Constitution had not provided that the fixing of the qualifications of electors should be entirely in the hands of the States, the Constitution never would have been ratified, and our Government, as we have known it for 150 years, would never have come into being. We recall that Patrick Henry, who sounded the tocsin of the Revolutionary War, and George Mason, author of the Virginia Bill of Rights, out of which came the Bill of Rights in our Federal Constitution, both opposed the adoption of the Federal Constitution because they felt that there was too much delegation of power to the new Federal Government which was to be brought into being under the Constitution. All the writings of the time clearly show how jealous the then-existing States were of any new power to be lodged in the new Federal Government.

As has been brought out in the debate, not once, but a number of times, we know that the Constitutional Convention considered and debated the matter of having

the Constitution fix the qualifications of voters. After most thorough consideration, section 2 of article I was placed in the Constitution, providing that the fixing of the qualifications of voters should be in the hands of the States.

After the Federal Constitution came into being, after it was agreed to and accepted by everyone that the fixing of the qualifications for electors was solely and entirely in the hands of the States, for 75 years the question was never raised. Surely if it was ever raised it was never raised seriously in the Congress of the United States or anywhere else. For 75 years there was no question that the States, and the States alone, possessed and enjoyed that power. It was not until the time of the great War between the States that the question was raised with any seriousness; and, as the able Senator from Texas [Mr. CONNALLY] so clearly demonstrated in his address on Tuesday, we know that with one exception every Member of the Senate at that time who spoke on the subject declared the proposition that this was a power which was invested solely and entirely in the States. Most of the Senators who spoke were on the committee which drafted the fourteenth amendment. It was a power which the Federal Government did not possess, and which Congress had no right to attempt to exercise in any way. The one Senator who was an exception was the distinguished Senator from Massachusetts at the time, Senator Sumner, and the only point he made was that he thought Congress had the power to legislate with reference to the Negro. If Senator Sumner were here today, and were to take the same position today that he took when the fourteenth amendment was under consideration, he would have to oppose the pending bill.

When the Congress submitted the fourteenth amendment, it confirmed the proposition that the fixing of the qualifications of electors was entirely in the hands of the States. A few years later the Congress again confirmed the proposition when it submitted the fifteenth amendment.

The years passed, and we came to the year 1913, when Congress submitted the amendment for the direct election of United States Senators. In the seventeenth amendment the Congress not only confirmed the proposition, but even placed in the seventeenth amendment the exact language of the original Constitution, providing specifically that the qualifications of electors for the election of Members of this body should be fixed by the States.

A few years later, when the Congress submitted the woman suffrage amendment, the nineteenth amendment to the Constitution, Congress once again confirmed the proposition that the fixing of the qualification of electors was entirely in the hands of the States. Every time the Congress has passed on the question, every time the question has been presented to the Congress in all the 150 years of our history, the Congress has always, without deviation, arrived at the same conclusion, that is, that the language originally written into section 2 of article I of the Constitution meant ex-



actly what it said, and that is that the fixing of the qualifications should be in the hands of the States.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Alabama yield to the Senator from Texas?

Mr. HILL. I yield.

Mr. CONNALLY. Has the Senator's attention been called to the woman suffrage amendment? If the Congress can say by this bill that the payment of a poll tax shall not be deemed to be a qualification, could it not have said that sex shall not be deemed to be a qualification, and have avoided all the rigmarole necessary in adopting a constitutional amendment?

Mr. HILL. Exactly.

Mr. CONNALLY. No one ever dreamed that Congress could do that. No one ever proposed it. The proponents of the amendment worked for 25 or 30 years on a constitutional amendment in order to enable women to vote.

Mr. HILL. Even the wildest proponents of woman suffrage never once dreamed of suggesting that suffrage be granted by legislative action of Congress. They always attempted to obtain the adoption of an amendment to the Federal Constitution, and finally they were successful. They knew, and the wise lawyers who advised them knew—and I think the Senator will agree with me that at that time we all thought we knew—that the only way the Congress could exercise any power with reference to fixing the qualifications of voters was through an amendment to the Constitution of the United States, expressly delegating that specific power to the Congress.

As the Constitution was originally written, and as it is today, with a few exceptions, all that power is vested in the States. Congress cannot reach into the States and take from the States any power which the Federal Constitution has placed in the States. The only source of power which can give that authority to the Congress of the United States is the source of all power in this country, that source being the people of the United States. If the people of the United States in their wisdom, after careful consideration, should feel that they wish to grant this power to Congress, of course the people could adopt an amendment to the Federal Constitution granting the power to the Federal Congress. But without some grant of power through an amendment to the Constitution, Congress has no power which it can exercise in this matter. That is the reason why the various amendments had to be adopted. That is the reason why the fourteenth amendment was adopted. That is the reason why the fifteenth amendment was adopted. That is the reason why the woman suffrage amendment was adopted. The Congress had no power to act with reference to the qualifications of electors. That power could come only by an amendment to the Constitution of the United States.

As the Senator knows, if we had before us a proposal to submit an amendment

to the States, or to the people to amend the Constitution, this argument would be an entirely different one. We might doubt the wisdom of such action, we might doubt the timeliness of it, we might doubt whether such a procedure would be good for our Federal system, but none of us would question the constitutionality of it, or the power of Congress to submit such an amendment.

Mr. President, once Congress assumes the power which it is proposed to give to it, once Congress does such violence to the Constitution and enters the field with regard to the qualifications of electors, there is no limit to what it may do. It could narrow the qualifications of voters, or, if it saw fit, it could greatly extend or augment the qualifications. It could do anything it might wish to do. It could even impose a poll tax after it had once entered the field. It could impose any qualifications which were not prohibited by the Federal Constitution.

Mr. President, there can be no question that from the time of the Constitutional Convention, which wrote the Federal Constitution, down to the present day, every time this question has been presented to Congress it has read the clear language of the Constitution, and taken the position that it had no power to enter the field of fixing the qualifications of electors, unless that power were delegated to the Congress by an amendment to the Federal Constitution.

Mr. President, just as the Congress, from its very beginning down to date, has always affirmed and confirmed the proposition that the fixing of the qualifications of electors was entirely and solely within the power of the States, so the courts of our country have always affirmed and confirmed that proposition.

Various decisions of the courts have been cited during this debate. I shall not go into them at this late hour. We could refer back to the early decisions which were made in the early days of the Government, and bring the decisions down to the more recent ones, such as those made within the past few years in the *Classic* case and the *Pirtle* case. All the decisions of the Supreme Court have confirmed the proposition that Congress has no power to enter into the field of fixing qualifications except where such power has been granted by an amendment to the Constitution.

Mr. President, in speaking of the decisions of the Supreme Court of the United States, I wish to refer to only one decision of that Court. Of all its decisions it seems to me that this one sums up best, and presents more poignantly, what is involved in the proposal now before the Senate. The decision to which I refer was handed down by Mr. Chief Justice White in the case of *Guinn v. United States* (238 U. S., p. 362). It dealt with the fifteenth amendment. Remember, Senators, that what Mr. Chief Justice White was saying did not apply only to poll-tax States; it did not apply only to Alabama, Florida, Louisiana, Texas, and Mississippi, for example. It applied also to the State of the Senator from Maine, and to the State of every other Senator. I read from what

Chief Justice White had to say on this subject:

Beyond doubt, the (fourteenth) amendment does not take away from the State governments in any general sense the power over suffrage which has belonged to those governments from the beginning, and without the possession of which power the whole fabric upon which the division of State and National authority under the Constitution and the organization of both governments rest would be without support and both the authority of the Nation and the State would fall to the ground. In fact, the very command of the amendment recognizes the possession of the general power by the State, since the amendment seeks to regulate its exercise as to the particular subject with which it deals.

The proposition could not be more eloquently or more forcefully stated than it was stated by Mr. Chief Justice White.

Mr. President, I feel that in waging the battle against this bill we are not only fighting for the rights of our States but that we are fighting for the preservation of our dual system of government. We are fighting for the preservation of our Federal system. We are fighting to continue the government which we have known, and which has brought us its manifold blessings and benefits for 150 years.

To pass this bill, to open this door, to permit this camel to get his nose under the tent, would be to start on a road which might lead inevitably and inexorably to the destruction of our great Federal system.

Mr. President, we are not only asked by the proponents of this measure to do these things; we are not only asked to take this step, but we are even asked to invoke a cloture rule in order that those things may be accomplished. I believe it was Thomas Jefferson who said that, as between a free government and a free press, he would take a free press. Jefferson knew that so long as the press was free we would have a free government. If there is a freedom in this country as precious to every American citizen as the freedom of the press, it is the freedom of debate in the Senate of the United States.

Majorities do not need protection. Minorities need protection. The whole history of the world—and I shall not go through it, because the hour is late, though I should like to—is the story of the blood and the tears of the minorities down through the ages. After all, the glory of our Government has been the protection of the rights of the minorities under our system. So long as we preserve freedom of debate in this body, no matter who the minority may be, no matter what it might be, no matter what cause it might represent, no matter how weak or impotent it might apparently be, no matter how much power it might have or how much pressure or economic force might be exerted, that minority can be heard here on the floor of the Senate of the United States. There is no way to trample it under foot, there is no way to run roughshod over it without its voice being raised on this floor, without its protest being fully and completely registered here in the Senate of the United States.

So long as freedom of debate lasts in this body, no matter how powerful may be the forces, no matter how great may be the pressure, how insistent the demands behind any measure, that measure cannot be driven through this body post haste, without the right of full debate, without the right of full discussion, without the right to bring out all the facts pertinent to the question involved.

Second only to the proposal to assault the Constitution of the United States, to invade the sovereignty of the States, to rob them of their rights unconstitutionally, is the proposal to invoke cloture, to cut off debate, to put an end to freedom of debate and discussion in this body.

Mr. President, I wish to protest as vigorously as I can against the passage of the pending bill, and I wish to protest as vigorously as I can against the invocation of cloture. I am unalterably opposed to the pending bill; I am unalterably opposed to the invoking of cloture.

Mr. CONNALLY. Mr. President, ordinarily we might have an executive session, but there is only one nomination on the calendar, and the chairman of the Committee on Post Offices and Post Roads, the Senator from Tennessee [Mr. McKellar] has advised me that he does not want action on that nomination today.

Mr. ELLENDER. Mr. President, at the outset I wish to state that I have no bias or prejudice in respect to the pending bill.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. CONNALLY. It has been understood that we would proceed daily until about 5 o'clock, so unless there is some other matter some Senator wishes to bring before the Senate, it is my purpose to move that the Senate take a recess until tomorrow at noon.

Mr. ELLENDER. Will it be with the understanding that I will have the floor when the Senate reconvenes?

Mr. CONNALLY. I assume that will be the case. The Senator from Louisiana has the floor, and I assume he will have the floor tomorrow when the Senate meets.

Mr. President, I ask unanimous consent that it be understood that when the Senate reconvenes tomorrow the Senator from Louisiana will have the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

#### EXECUTIVE MESSAGES REFERRED

As in executive session,  
The PRESIDING OFFICER (Mr. Hatch in the chair) laid before the Senate messages from the President of the United States, which were referred to the appropriate committees.

(For nomination this day received, see the end of Senate proceedings.)

#### RECESS

Mr. CONNALLY. I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 5 minutes p. m.) the Senate took a recess until tomorrow, Friday, May 12, 1944, at 12 o'clock meridian.

#### NOMINATION

Executive nomination received by the Senate May 11 (legislative day of May 9), 1944:

##### SECURITIES AND EXCHANGE COMMISSION

Robert Kendall McConnaughey, of Ohio, to be a member of the Securities and Exchange Commission for a term expiring June 5, 1949. (Reappointment.)

## HOUSE OF REPRESENTATIVES

THURSDAY, MAY 11, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal One, before the ever-recurring and disheartening arrestments and collapses of this world, Thou art God. Forbid that the irony of events should exhaust our strength and our faith in unconsolled sorrow, unrequited sacrifices, and in uncompensated wrongs; give us grace and power to endure. Remind us, dear Lord, that drinking the bitter cup makes us worthy of the great destiny to which we aspire, crowned with the eternal secrets of the soul.

We pray that our patriotism may breathe the spirit of sacrifice and consecration. Let us strongly set forth a dynamic aversion to any form of blind acceptance of the value of our institutions. We pray that these may challenge the minds of our countrymen from laxity to labor, from unbelief to faith in America's providential mission. O pity all those who fail to understand—with no vision, no new duties kindling the glow of the soul, and with no large purpose looking toward a timeless peace. Warm our affections with a revival of a purer flame until the coarser things of earth no longer attract. With renewed outlook, unseal our eyes that we may look directly upon the things unseen even unto the throne of God.

"Let us live for the cause that lacks assistance,

For the wrongs that need resistance,  
For the future in the distance,  
For the good that we may do."

In our Saviour's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed joint resolutions and bills of the House of the following titles:

On March 31, 1944:

H. J. Res. 234. Joint resolution to amend the Agricultural Adjustment Act of 1938, as amended, for the purpose of further regulating interstate and foreign commerce in tobacco, and for other purposes.

On April 1, 1944:

H. R. 3408. An act to amend chapter 7 of the Criminal Code; and

H. R. 4346. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1944, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1944, and for other purposes.

On April 3, 1944:

H. J. Res. 260. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives;

H. R. 2778. An act to ratify and confirm act 16 of the Session Laws of Hawaii, 1943, extending the time within which revenue bonds may be issued and delivered under Act 174 of the Session Laws of Hawaii, 1935;

H. R. 3075. An act for the relief of Mrs. Isabella Tucker;

H. R. 3247. An act for the relief of Joseph Langhorne Walker;

H. R. 3362. An act to fix the annual compensation of the secretary of the Territory of Alaska; and

H. R. 4377. An act authorizing the President to present, in the name of Congress, a Distinguished Service Medal to Admiral Chester W. Nimitz, United States Navy.

On April 4, 1944:

H. R. 1216. An act for the relief of Walter Ervin and Cora Ervin;

H. R. 1421. An act for the relief of Paul B. Lingle;

H. R. 2234. An act for the relief of Mrs. Christine Hansen;

H. R. 2273. An act for the relief of E. C. Fudge;

H. R. 2616. An act to enable the Secretary of the Interior to complete payment of awards in connection with the war minerals relief statutes;

H. R. 3259. An act to clarify the application of section 1 (b) of Public Law 17, Seventy-eighth Congress, to certain services performed by seamen as employees of the United States through the War Shipping Administration;

H. R. 3602. An act to amend the act making it a misdemeanor to stow away on vessels;

H. R. 3668. An act for the relief of C. C. Evensen;

H. R. 3847. An act to exempt certain officers and employees of the Office of Price Administration from certain provisions of the Criminal Code and Revised Statutes;

H. R. 3912. An act to amend section 6 of the Defense Highway Act of 1941, as amended;

H. R. 4381. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; and

H. R. 2337. An act for the relief of John Joseph Defeo.

On April 22, 1944:

H. R. 2618. An act to regulate the placing of children in family homes, and for other purposes;

H. R. 2648. An act for the relief of Avid Evers; and

H. R. 4133. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1945, and for other purposes.

On April 24, 1944:

H. R. 3257. An act to amend Subtitle—Insurance of title II of the Merchant Marine Act, 1936, as amended, to authorize suspension of the statute of limitations in certain cases, and for other purposes.

#### EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.



# REPEAL OF PROVISIONS OF WAR LABOR DISPUTES ACT RELATING TO POLITICAL CONTRIBUTIONS BY LABOR ORGANIZATIONS

Mr. MAY. Mr. Speaker, the bill (H. R. 4618) to repeal the provisions of the War Labor Disputes Act relating to political contributions by labor organizations has been referred to the House Committee on Military Affairs. I am advised by the Parliamentarian that proper jurisdiction over this bill is in the Judiciary Committee and I therefore ask unanimous consent that the bill be rereferred to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

## REVISION OF LAWS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. KEOGH]?

There was no objection.

Mr. KEOGH. Mr. Speaker, I should like to inform the Members of the House that today, tomorrow, and Saturday, in the Attorney General's conference room in the Supreme Court Building, the Committee on the Revision of Laws, and the committee counsel, Charles J. Zinn and John F. X. Finn, of New York, together with the editorial chiefs of the West Publishing Co., Minneapolis, and the Edward Thompson Co., of New York, and the advisory committee consisting of former Judge Floyd Thompson, of Chicago, Justice Justin Miller, of Washington, and former United States Attorney John T. Cahill, of New York, with their consultants, Alexander Holtzoff, of Washington, and George F. Longsdorf, of California, will meet in the Attorney General's conference room of the Supreme Court Building to consider a preliminary draft of the proposed revision of title XVIII of the United States Code on Crimes and Criminal Procedure. William W. Barron, former Chief of Appellate Section, Criminal Division, Department of Justice, is acting as reviser for the two companies. The Members of the House and of the Committee on Revision of the Laws are at liberty and are welcome to attend the sessions which will begin at 10 a. m. each day.

## EXTENSION OF REMARKS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter addressed to me by Mr. C. E. Child.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. KILDAY]?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a resolution passed at a meeting of the Ancient Order of Hibernians in America.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

## PERMISSION TO ADDRESS THE HOUSE

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. LANE]?

There was no objection.

[Mr. LANE addressed the House. His remarks appear in the Appendix.]

## EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that I may be permitted to include in some remarks I expect to make on the veterans' bill amendments I intend to propose to the bill when it is considered under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief editorial from the Indiana-Pennsylvania Gazette.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an editorial from the Alexandria Daily Town Talk entitled "A Patriotic Congress."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. ALLEN]?

There was no objection.

## APPROPRIATIONS FOR UNITED STATES NAVY FOR ADDITIONAL ORDNANCE MANUFACTURING AND PRODUCTION FACILITIES

Mr. CLARK, from the Committee on Rules, submitted the following privileged resolution (H. Res. 531, Rept. No. 1436), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4421, a bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I have two unanimous-consent requests, one that I may be permitted to extend my own remarks in the RECORD and include therein an article on the F. S. A. by the Wisconsin Farmers Union News, and the

other request is that I may be permitted to extend my own remarks in the RECORD and to include an article on land grants by David Robertson appearing in the last issue of the Trainmen's magazine.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. SAUTHOFF]?

There was no objection.

## VETERANS' AID LEGISLATION

Mr. MASON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

Mr. MASON. Mr. Speaker, I want to commend the Committee on World War Veterans' Legislation for the excellent job they have done in connection with a very difficult bill, the so-called G. I. bill. However, there is one section of that bill, the educational section, which I cannot altogether agree to. I believe that further consideration and further protection of State rights are needed in the provisions of that section. For that reason, I am going to support what is known as the Barden bill as a substitute for the educational features of the G. I. bill. That comes about as the result of 35 or 40 years of educational experience and in the protection of State control over the educational features of any Federal-aid bill.

## EXTENSION OF REMARKS

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a letter from one of my constituents.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

## MOTION-PICTURE PREVIEW, THE BATTLE FOR NEW BRITAIN

Mr. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Speaker, I have been requested by the War Department to extend, on behalf of the Committee on Military Affairs, an invitation to the membership of the House to attend a preview of the picture known as the Battle for New Britain at the auditorium, Library of Congress, Friday, May 12, 1944, at 2:30 p. m. There is a little note on the memorandum that I think I should read to you:

This picture shows excellent action scenes of combat and supply operations in the opening of the present campaign in New Britain, including landing operations at Arawe and Cape Gloucester.

As the picture requires 54 minutes of running time, two showings will be presented. The second showing will start about 3:30 p. m. Lt. Col. R. R. Presnell, who was in charge of the filming, will be present and give a short talk at both showings on the experiences of his unit.

## ACQUISITION OF CERTAIN LANDING CRAFT

Mr. BATES of Kentucky, from the Committee on Rules, submitted the following privileged resolution (H. Res. 526), which was referred to the House Calendar and ordered printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 4710, a bill authorizing the acquisition and conversion or construction of certain landing craft and district craft for the United States Navy, and for other purposes; that after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Naval Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

## EXTENSION OF REMARKS

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on Polish Constitution Day.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein an excerpt.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

## AMENDMENT OF TRANSPORTATION ACT OF 1940

Mr. COX, from the Committee on Rules, submitted the following privileged resolution (H. Res. 543), which was referred to the House Calendar and ordered to be printed:

*Resolved*, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for consideration of the bill (H. R. 4184), to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; that after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and the ranking minority members of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

## FEDERAL AID FOR READJUSTMENT IN CIVILIAN LIFE OF WORLD WAR NO. 2 VETERANS

Mr. SABATH. Mr. Speaker, I call up House Resolution 540, and ask for its immediate consideration.

The Clerk read the resolution (H. Res. 540), as follows:

*Resolved*, That upon the adoption of this resolution it shall be in order that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of S. 1767, an act to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 2 days, to be equally divided and controlled by the chairman and ranking minority members of the Committee on World War Veterans' Legislation, the bill shall be read for amendment under the 5-minute rule. It shall be in order to consider without the intervention of any point of order the substitute committee amendment recommended by the Committee on World War Veterans' Legislation now in the bill, and such substitute for the purpose of amendment shall be considered under the 5-minute rule as an original bill. It shall also be in order to consider without the intervention of any point of order the text of the committee amendment to H. R. 3846 as a substitute for title II of the committee amendment to S. 1767.

At the conclusion of such consideration, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, later on I shall yield 30 minutes to the gentleman from New York [Mr. FISH].

This rule, Mr. Speaker, makes in order the long-awaited G. I. bill for which we have been patiently waiting, being desirous of doing our part and our share for those brave men who are now engaged in protecting and safeguarding the interests of America in fighting for freedom for our country.

The rule provides for 2 days' general debate. It is an open rule and permits the reading of the bill under the 5-minute rule, and makes in order the House bill as a substitute for Senate bill 1767. It also provides that the Barden bill, H. R. 3846, can be offered, as amended, as a substitute for title II, providing for the education of veterans.

I am satisfied that nearly all of you gentlemen are familiar with the Senate bill and also with the House bill that has been reported and which will be considered under this rule. I feel that there are many changes in the House bill that unfortunately are not favored by many Members of this House, and that many Members favor the Senate bill as originally reported, with some minor amendments.

Originally I felt that I should call attention to the changes in the House bill, which differ from those in the Senate bill, but in view of the fact that we are

going to have 2 days of general debate, I feel the chairman of the committee the gentleman from Mississippi [Mr. RANKIN] will be able to explain these changes and provisions that the House committee has agreed to and that are now before us, and to give reasons for reducing the allowances as carried in the Senate bill. Consequently, I shall not enumerate all the changes that have been made by the House committee in the Senate bill.

However, I want to call attention to some of the changes that I, and I believe a majority of the Members, will disapprove because they reduce the benefits originally provided for in the Senate bill. The most outstanding change is the reduction in the time that a veteran shall receive readjustment allowance while he is out of employment. The time provided in the House bill is for a 26-week period as compared with 52 weeks as carried in the original Senate bill. Another objectionable provision in the House bill is in chapter 8, paragraph (b), which disqualifies any veteran from receiving any allowance if it is found that his unemployment is due to stoppage of work because of labor disputes. There is also a change that will meet opposition in the House with respect to the increase in the interest rate on the loans for which the veterans may apply to build a home or to enter business. The Senate bill provided 3 percent interest on such loans and the House bill provides 6 percent, which I think is manifestly unfair and is in the interest of the bankers and the loan companies.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. RANKIN. I am sure the gentleman does not want to leave the wrong impression. The House bill does not make direct loans; it only guarantees certain loans. The House arrived at that 6 percent in order that these loans might be made. If you attempted to force private enterprise, private banks, or private individuals to loan money at 6 percent, it would shut out these boys and they would not get any money at all.

Mr. SABATH. Nevertheless, the rate is increased from 3 to 6 percent, whether the loans are made by private industries or loan companies.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. If the gentleman will refer to the bill, he will find that the rate is not to exceed 6 percent. It can go as low as 2 percent, or whatever they can get the money for.

Mr. SABATH. I appreciate that. However, for years we have been trying to reduce the rate of interest. With the amount of money available for construction and for business and other purposes in this country at this time, it should not be hard to obtain loans at 3 percent. To put a limit of 6 percent on the loans is a mistake, I think, because I know the bankers, if they are per-



mitted to charge 6 percent, will not loan their money at 3½ or 4 percent, which has been the aim of the Administration.

Mr. RANKIN. If the gentleman will yield further, this merely puts a limit of 6 percent on the rate of interest to be charged.

Mr. SABATH. I realize that.

Mr. RANKIN. These are private loans. If the gentleman from Illinois can show us any way in God's world to make bankers make loans and make private individuals or loan companies make loans at a reduced rate of interest, I shall be glad to have that provision put in the bill.

Mr. SABATH. There are a lot of building and loan associations which have more money than they know what to do with. I know there is a great deal of money in the banks throughout the United States; in fact, in many instances banks have refused to take deposits because they do not know what to do with the money. In view of those conditions, why should we give bankers or loan sharks, in many instances, the right to charge up to 6 percent to these deserving veterans for whom we want to do something, because if that is the limit they will charge the limit. Right here, Mr. Speaker, why should not the bill provide that the Government make these loans? In fact, that is what the bill should provide at a rate not to exceed 3 percent. The Government can do so and should do so. We have advanced money to the farmers at low interest rates, we have guaranteed the loans of home owners, we have loaned money to the railroads, to banks, mortgage companies, industrial and manufacturing establishments, crop and seed loans to farmers, and given parity payments to them. So I ask, Why has not a provision been incorporated in this bill to make loans to our brave defenders who have given their all, through one of the existing Government agencies?

Mr. FITZPATRICK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. FITZPATRICK. We are making loans now to the farmers throughout the country at 3 percent, and I voted for it. If we can afford to give that to the farmers throughout the country, we ought to be able to give it to the boys who are fighting and dying for our country.

Mr. SABATH. The gentleman is right; he is always right.

Under another provision in the bill the Administrator of Veterans' Affairs is given complete jurisdiction over these matters. Although I have utmost confidence in the gentleman—General Hines—now occupying that position, I do not know how long he will remain. Consequently, I think there should have been some provision in the bill whereby the authority and jurisdiction would be shared, perhaps, with the Secretary of War, the Secretary of the Navy, and some other officials, in connection with these important matters that will have to be decided.

Outside of that, this bill is a step in the right direction. I am more than

pleased that it is before us and I hope it will shortly pass. So far, no one has lost anything by the careful consideration of the bill on the part of the House committee, because the benefits have not yet accrued. I feel that the House committee has acted carefully and judiciously, having in mind the interest of the country. Nevertheless, in some respects I think there are some provisions in the bill as to which the committee in its desire to safeguard the interests of the country has gone a little too far in imposing restrictions and inserting provisions that might deprive the men, through some minor omission or commission, of the benefits which we intend to grant.

We know from past experience and the gentleman from Mississippi himself knows how the departments have frequently ruled that because of a slight technicality a man or his widow and children have been deprived of benefits. The gentleman himself urged that that should be eliminated, and there is a bill on which a rule has been granted, and which will come up within the next few days, in which we are trying to take care of that so that no injustice is done on account of technicalities.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman held that rule in the committee from the 9th of January until a day or two ago before he reported it out. Many of these widows during that time have dragged these children through the depression and paid their expenses without receiving a single dollar as a result of their husbands' services in the last war.

Mr. SABATH. Again the gentleman makes a misstatement, and it must be with the intention of placing the responsibility for delay in holding the rule in committee. I do not recall whether the gentleman has ever made a request for a rule on that bill, but I will not be as unfair as he is. He might have and I shall ask the clerk of the committee to make a careful check whether a request has been made. However, I know that when my attention was called to the bill and I learned that it was to provide benefits for the wives and children of deceased veterans of War No. 1, I immediately ordered it placed on the docket of the Committee on Rules for a hearing at the ensuing meeting. A rule was granted, and I filed the report the following day. When I read the bill I could not quite understand why the gentleman did not ask unanimous consent to have it placed on the unanimous-consent calendar, where, with such placement, a rule would not have been required. I am, indeed, glad that I do not possess the antagonism that the gentleman has so often displayed toward me, because I could, if so bent, point out many matters that would not be pleasing to him. Yes; I know, under the pretense of preserving the Constitution there has been forced upon the country a soldier's vote bill whereby at least one-half of the men and women in the armed serv-

ices will be deprived of the opportunity to vote.

Only a few minutes ago I tried to excuse the gentleman and his committee for the delay in reporting this bill, and most of the delay was due to the action of the gentleman because he feared that under the Senate bill the veterans would be receiving too much and, therefore, reduced the time for veterans receiving the unemployment allowance from 1 year to 6 months. Yes, and the other provisions that I have pointed out have been amended so that the veterans would receive lesser benefits. However, I will refrain from saying anything more in this respect, except that I hope in the future the gentleman will cease criticizing the Committee on Rules in delaying the consideration of legislation when, in fact, the present Committee on Rules has granted more rules in any given session of Congress than any other Committee on Rules in the history of Congress. At no time have there been so many rules granted to expedite the business of the House as during this Congress. Therefore the charge that the bill has been delayed by the Committee on Rules is manifestly unfair, because it received consideration as has other legislation coming before it for a rule.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Missouri.

Mr. COCHRAN. This bill is to take care of everyone in the armed forces—men and women.

Mr. SABATH. Yes.

Mr. COCHRAN. I want to point out, and I hope the gentleman from Mississippi will take notice, that in going over this bill I find in various places pronouns of the masculine gender are used. This is going to cause a lot of confusion, is it not?

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. If the gentleman will turn to the end of the bill he will find that "Wherever used in this act, the masculine includes the feminine."

Mr. COCHRAN. I have not got that far.

Mr. SABATH. I think the answer is correct, and the matter is properly taken care of.

In view of the fact that the bill will be thoroughly explained by the gentleman from Mississippi and the members of his committee, who have devoted a great deal of time and study to the bill, I shall not say any more at this time, and yield 5 minutes to my colleague the gentleman from Georgia [Mr. Cox].

Mr. FISH. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia [Mr. Cox].

Mr. COX. Mr. Speaker, I ask unanimous consent that I may proceed out of order.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COX. Mr. Speaker, I am again calling attention to the joint resolution introduced by me last week to erect here in Washington a permanent memorial to the mothers of America.

This resolution provides for the creation of a Mothers Memorial Commission of nine members, three to be appointed by the Speaker, three by the Vice President, and three by the President. It is contemplated that the Government shall furnish a suitable site and meet all promotional and managerial costs. The Commission would be authorized to accept contributions from all sources to help in the execution of the project.

Mr. Speaker, in all this cold and hollow world—this troubled and frustrated world—there is no worship that does not at some time falter, except the worship of mother for her own. It is something that typifies the ceaseless march of the stars and the constancy of the everlasting hills. Upon its face it bears the white seal of heaven and the stamp of the glory of God.

In the whole tragic history of mankind there has appeared no figure so heroic as that of mother. From the bottomless fountain of her deathless love men have drawn the inspiration and courage to meet every crisis.

Upon the loyalty and sacrifices of mother was our Nation founded. Her very soul has given strength to our leaders while her sons were being consumed in the fiery moloch of war. Hear today the voice of mother saying: "I have given my three sons to this terrible war and that is all I have." No artist can give color to such an undying picture and no sculptor can form it in chiseled marble. Her ideals do not constitute a creed, a philosophy or doctrine, but is the pure-spun tenuous flow of her immortal soul.

When sickness invades the home mother comes with the speed of the sunlight and with the tenderness of an angel to soothe, to bless, and to save. "The mother of Jesus was there." The mothers are always at the crosses of their children. Who is it that sits with silver hair and worn hands at the hearthstone? Who is the vigil through the long night hours of prayer and patience, rich in soul and in the peace of God? Who, in the face of poverty and discouragement, is stout of heart and speaking the words of comfort? Who is it that sustains man's eternal faith in womankind and upholds all things high? It is the uncalendared saint—the mother—the inspiration of religion, hope, and virtue.

Today we are concerned over the fate of mother's boy who has gone to war. In her anxiety she thinks of his future happiness, success, and even greatness. The long years have been short years as she beholds her boy grown to the strength and manliness of a fine man. But the purple testament of war is opened, and all her plans have come to naught. She lays her pride and hope upon the altar of her country, and the rapt beating of her heart gives response to all that is dear in human life.

In a world so cruel, where thorns lie in every path, it is mother who kisses the cross that smites her heart. Her

spirit is an open challenge to all the world. Herein is the intense power of woman—first at the cross and last at the sepulcher. The heaviest burdens fall on the tenderest hearts, yet they shape the world anew. The Master, who counts her tears of suffering in tragedy and in pain, puts His healing hand on her every wound as she breathes out the constancy of her soul.

No State is greater than its mothers; in their hands lies the destiny of the world. If our country is to live and grow, her ideals must become the ideals of our land. Mother and the Nation are inseparable, and in this union there is the foundation upon which we must abide for our glory and perpetuity; in this union we have the sanctities and nobilities of a free and Christian people.

So let us ever seek to pay tribute to her who has been the inspiration of all that is good and great in the being of man. Today we look over our shoulder into the past; over its dizzy heights of fortune and ambition and through the valleys of failure and sorrow. We meditate and recall that mother first formed our hands in prayer and led the way for our wandering feet. Behold the holy face of mother, the first that waited for us and greeted us with a kiss; the face that watched us through our babyhood with unheralded devotion; the face that understood our tears and smiles and never turned away. When gladness came she smiled, and when sorrow sought to blight it clouded and when tears streaked she stooped to help and bless. It is the face that the young remember and the old never forget. It is the face that helps, inspires, and comforts. It is the face on which heavenly sacrifice has written its undying message. About it the poets have sung their exchanging songs and painters have drawn their divine images. It is the most beautiful face in all the world and will be the first to greet us at the gates of heaven.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. FISH. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts [Mr. MARTIN] such time as he may desire.

Mr. MARTIN of Massachusetts. Mr. Speaker, first I desire to pay tribute to the members of the Committee on World War Veterans' Legislation for the many days of diligent study which they have put into this legislation.

No legislation before the present Congress is more strongly supported by the American people than the so-called G. I. bill. It is a measure of justice to the fighting men and women of America. It signifies the American people are determined to provide adequately for the disabled veterans and the dependents of the deceased veterans; that we intend to do our full part as a country in the difficult readjustment from military life to a civilian status.

No one can justly complain of giving liberal treatment to the dependents of the men and women who gave their lives in this war to keep America a free nation. The dependents of the dead heroes must be adequately cared for and given

a chance to share in the prosperity that will come as a result of the sacrifices of their loved ones.

When the men are mustered out of the service they must be given a fair chance to rehabilitate themselves in civilian life. The Federal Government can help by making certain no one suffers the pinch of want while the veteran waits for a job. But the Federal Government cannot do the job by itself. It will be the responsibility of American industry and employers of labor to absorb these service men and women into gainful employment where they can, through their own efforts, build for a happy future. The bill properly stresses veterans' preference.

The bill wisely provides loans for the purchase, and construction of homes; buying or leasing farms or business properties and the purchasing of implements and equipment. Many will become owners of homes and farms and small businesses and through such ownership become a bulwark for the American way of life.

Many young men were taken from their studies to participate in the war. These veterans are entitled, if they so desire, to continue their studies and we have arranged to give encouragement through Government assistance.

While the Federal Government assists in the education of its dependents, we must make certain that it does not result in the Federal Government assuming control of education.

It is gratifying that this measure of justice to our servicemen is not partisan in character. It is a unanimous expression from all Americans that men and women, patriotic enough to fight for their country, shall have justice in the peace days.

Mr. FISH. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, this bill comes before the House with the unanimous report of the Committee on Rules. The original Senate bill is completely stricken out and virtually a substitute bill has been written by the Committee on World War Veterans' Legislation. Under the rule, it is made practically an original bill for consideration in the House.

Mr. Speaker, I cannot too highly commend the Committee on World War Veterans' Legislation for bringing before the House the first important post-war bill. For many months, Members of the House have been talking about post-war measures and the importance of enacting that type of legislation immediately. This is the first bill of that character that has come before the House for consideration.

Those of us who served in the Congress just after the First World War will remember there was no particular committee to handle veterans' legislation. It went to the Committee on Interstate and Foreign Commerce, and generally nothing was done for the veterans until several years after the war. Thank God, we have learned our lesson, and we do not propose, the Congress on both sides, Republicans and Democrats alike, do not propose that our returning veterans will



be forced to sell apples on the streets in the big cities of the country.

It is a good thing for the country, too, because these veterans know a great deal more than we did after the last war. They are much better educated as to their rights, and I do not believe these veterans would come home and sell apples as they did after the last war, because if that is all they were offered, I believe we would have chaotic and revolutionary conditions in America.

Mr. Speaker, I want to pay a special tribute to the chairman of the committee, the gentleman from Mississippi [Mr. RANKIN]. The veterans have no better friend in the Congress and have not had for a great many years. The gentleman from Mississippi is a great American and devoted to our free institutions, to our American system, and to constitutional government. I have differed with the gentleman from Mississippi many times over racial issues, and probably will in the future, but there is no more useful Member of Congress than the gentleman from Mississippi, JOHN RANKIN, and no greater American. He is dynamic, able, and fearless. Without question he is the most eloquent orator in the House of Representatives, and, in my opinion, is the most effective debater in the entire Congress of the United States. He is to be commended for bringing this legislation before the House, making the Veterans' Administration a war agency. I think they might have gone further and taken the proposal that I offered some 6 months ago in the Congress, to create a Secretary of Veterans' Security, with a Cabinet position. The bill, however, goes to the extent of putting all veterans' interests under one administrator as a war agency, and placing it next to the Army and to the Navy.

It also provides for readjustment allowances—which are the words used instead of unemployment insurance—readjustment allowances of \$20 a week for each veteran for a period of 26 weeks. The whole purpose of the bill is to create a square deal for the returning veteran.

When I proposed that there should be a Secretary of Veterans' Security, I did so because I believe, as a result of this war, there will be some 15,000,000, perhaps 16,000,000 servicemen before the war is over. Over a million have already been discharged. If you add those to the last war there will be almost 20,000,000 veterans, all of which will come under the Veterans' Administration. The expenditures will be so large that it is difficult to even approximate the amount. I should say in the first year it would amount to at least \$5,000,000,000 and upward, and over a long period of years over \$2,000,000,000 a year. Certainly any bureau or agency of the Government that has such vast administrative powers and expenditures of something upward of \$2,000,000,000 annually should be headed by a Secretary of Veterans' Security with a place in the Cabinet.

I hope later on that the Committee on Veterans' Legislation will consider my bill and report favorably on it creating a Secretary of Veterans' Security with Cabinet status.

Mr. Speaker, this bill is the first important post-war bill to reach the House. Today the Committee on Post-war and Economic Planning, a special House committee, approved—it has not the power to report to the House—but the gentleman from Pennsylvania [Mr. WALTERS], a member of the committee, introduced the approved bill today, to terminate contracts which will go to the Committee on the Judiciary. This whole subject matter has been under consideration for at least 3 months by the special committee and its staff. I hope we will get definite action on it before the House recesses within the next 40 days. The House wants to act upon these post-war problems before adjourning for the summer. The Veterans' Legislative Committee has taken the lead today in bringing up for consideration veterans' legislation, and it is perfectly proper that that should have the right-of-way but there are many, many more important post-war problems that will have to be passed upon by the House, and I hope several of them will come up before we recess next month.

Mr. SABATH. Mr. Speaker, will the gentleman yield at that point?

Mr. FISH. I yield.

Mr. SABATH. Do I understand the gentleman to state that the special committee created by the House to study post-war planning, headed by the gentleman from Mississippi [Mr. COLMER] has agreed on a bill and introduced it and that it is now before the Committee on the Judiciary?

Mr. FISH. Yes; the special committee agreed on a bill today and issued a report on the bill. The committee has no right to report legislation.

Mr. SABATH. I understand.

Mr. FISH. But a distinguished member of the committee, the gentleman from Pennsylvania [Mr. WALTER] introduced that bill and it will go today to the Committee on the Judiciary. That is the result of months and months of arduous labor, and I think the House will be very well satisfied with the bill.

Mr. SABATH. The gentleman understands why I propounded the question. There is a bill from the Committee on Naval Affairs, likewise a bill from the Committee on Military Affairs; then this committee too has been working on it. The Rules Committee is advising them that they should get together and agree on one bill. Since that time the Senate, of course, has acted and sent some kind of a bill over to the House. I hope the bill which has been introduced will eliminate some of the provisions of the Senate bill.

Mr. FISH. All the House is interested in is to have the best possible bill. The bill unanimously approved by the select committee will go to the Committee on the Judiciary. If the gentleman from Georgia [Mr. VINSON], or the gentleman from Kentucky [Mr. MAY], or others wish to offer their bills as substitutes they have a perfect right to do so and to appear before the Committee on the Judiciary or before the Rules Committee.

Mr. Speaker, in considering the bill that is to come before us today, I want

to call the attention of the House to some of our experiences in the early days of veterans' legislation. In those days veterans' legislation went to the Committee on Interstate and Foreign Commerce which had other very important matters before it. It was very difficult to get any action. It was about a year and a half after the war that we created the World War Veterans' Legislative Committee. It might interest the House, in view of a bill introduced by me which passed this week authorizing the expenditure of \$1,000,000 to provide seeing-eye or guide dogs for the blinded veterans to know the history of that committee. It came about as a result of a fight I made as a new Member of Congress over a period of 6 or 8 months, because I could not get action on a little bill of mine to increase the pay of attendants for blinded soldiers from \$20 to \$40, could not even get consideration of it before the Interstate and Foreign Commerce Committee. As a result of the refusal to consider bills of this type the House created the veterans' legislative committee. I believe I was the first to introduce a bill to create a separate veterans' legislative committee in the House. Both TOM CONNALLY and Royal Johnson introduced similar bills.

The servicemen of this war have the benefit of an important standing committee headed by the gentleman from Mississippi [Mr. RANKIN]. It has functioned properly and faithfully and has brought in this post-war bill for your action. It seeks to provide for a square deal for the veterans of World War No. 2.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. STEFAN. I believe the people of my State are pretty much agreed that this bill ought to be passed with the exception of title 2. I have many, many telegrams and letters including telegrams and letters from my Governor and educators in the State of Nebraska. They are very much disturbed over title 2 providing for education of the veterans. They suggest that we substitute the Barden bill for this section. Did the gentleman discuss that matter with his committee?

Mr. FISH. Yes; that has been discussed in the Rules Committee. In the last analysis, of course, that is a matter to be decided by the House. This bill turns the power over to the Veterans' Administrator to select the schools they shall go to.

Mr. CUNNINGHAM. Mr. Speaker, if the gentleman will yield, I believe he is mistaken on that point.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mrs. ROGERS of Massachusetts. The Administrator must ask the boards in the various States.

Mr. FISH. Mr. Speaker, I stand corrected. The Administrator acts on the recommendation of the board of education, board of regents, or whatever educational authority exists in the various States.

Mr. STEFAN. Yes; the educators and Governors of the various States are very

much disturbed over this section as written. They much prefer the provisions of the Barden bill.

Mr. FISH. I feel that it is advisable to wait until we get into the Committee of the Whole before we discuss this matter for there it will be discussed by members of the Committee on World War Veterans' Legislation. The gentleman must know that the chairman of that committee, the gentleman from Mississippi [Mr. RANKIN], is an ardent States' rights man.

Mr. STEFAN. I agree.

Mr. FISH. And he is not going to bring in a bill that definitely violates States' rights. I trust, therefore, that the gentleman and other Members of the House who are interested in this matter will wait until it is presented in the Committee of the Whole by members of the legislative committee. There are very distinctly two sides to this controversial issue.

Mr. STEFAN. I inquired only to see whether the Rules Committee discussed title 2 and the Barden bill along with this one.

Mr. FISH. Yes; we did discuss it.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes; but before I yield I want to say that the bill contains a proviso permitting World War veterans to have 1 year of education plus the amount of time they have spent in the service; that is if a veteran has been in the service 3 years he would have his original 1 year plus 3 more years, which would make a total of 4 years in post-war educational institutions. It is a very liberal bill and its provisions I believe are adequate. The question of the rights of States should be discussed and brought up in the Committee of the Whole, if the gentleman does not object.

Mr. STEFAN. Certainly I do not object.

Mr. FISH. Mr. Speaker, I now yield to the gentleman from Illinois.

Mr. SABATH. I want to point out that the rule specifically provides for the consideration of the Barden bill.

Mr. FISH. It is made in order at the proper time.

Mr. SABATH. Yes; and the House will be given ample opportunity to consider that under the rule.

Mr. FISH. As far as the actual working of the rule is concerned, the rule is wide open. The original bill is made in order, and amendments are in order to the House bill but not to the Senate bill. The Senate bill has been eliminated, and this rule presents a new bill, the House bill, coming in under the Senate title and open to amendments.

Mr. Speaker, the following letter from the national commander of the American Legion, Warren H. Atherton, presents a good résumé of the purposes of this bill and the Legion's views on it:

THE AMERICAN LEGION,  
NATIONAL LEGISLATIVE COMMITTEE,  
Washington, D. C., May 10, 1944.

MY DEAR CONGRESSMAN: This morning the American Legion presented petitions to Congress from a million citizens who urged passage of the Legion's G. I. bill to aid veterans of World War No. 2; many of these petitioners were from your district.

The G. I. bill was introduced 4 months ago at the request of the American Legion. It provides a sound, orderly program of aid to veterans during the transition from military to civil life. The basic elements covered in the proposed law are:

Expansion of Veterans' Administration hospital facilities;

Added provisions for vocational training; Authority to correct mistakes in discharges from service;

Educational aid;

Down payment loans to veterans for homes, farms, or businesses;

Unemployment insurance for veterans unable to secure employment; and Veterans' Employment Service.

The Senate adopted S. 1767 on March 24, embodying the above principles.

The House Committee on World War Veterans' Legislation has favorably reported S. 1767, with amendments. As reported, the bill still embodies the principles we believe necessary to protect and aid discharged veterans of this war and to insure an orderly period of demobilization.

More than a million men and women have already been discharged from the service; there is urgent need for placing most of the bill's provisions in effect now; the bill has had careful study and consideration for 4 months; a long period of debate and consideration of amendments would further delay the application of the bill's remedies to those in immediate need; conceivably the bill might be improved in some slight degree, but we believe that the value of any changes would be doubtful as compared with the present carefully considered and prepared measure.

If you believe as we do that the Legion's G. I. bill will provide equitable treatment for the service men and women of World War No. 2, and security for their future, we urge you to vote for S. 1767 as reported by the House committee; any differences between the bill as adopted by the Senate and reported by the committee can be safely left to adjustment in conference.

Thanking you for your consideration of this letter and for your many past courtesies, we remain

Yours very truly,

WARREN H. ATHERTON,  
National Commander.

F. M. SULLIVAN,  
Executive Director,  
National Legislative Committee.

Mr. FISH. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, I shall address my remarks entirely to the rule. It is unfortunate that when so technical a bill as S. 1767 comes before the House we get into a discussion of the merits of the bill at a time when we are considering the rule only and not prepared to fully explain in detail the provisions of the bill.

All this rule does is to make in order the Senate bill, commonly known as S. 1767, or the G. I. bill. The procedure under the rule will be this: The Clerk will start to read S. 1767, and after the first section is read, the chairman of the House Veterans' Committee will move to strike out the rest of the Senate bill and insert in lieu thereof the House version of the G. I. bill. The House version will then be considered as an original bill under the 5-minute rule. All germane amendments will be in order to that bill. There will be no limitation whatever on germane amendments to the House version of the G. I. bill.

In order to make doubly sure that this can be accomplished, the rule provides that the Barden bill shall be in order as an amendment or a substitute for title II of the House bill. At that time the Barden amendment can be thoroughly discussed, so that it will be thoroughly understood. That is all there is to it.

When the House bill is perfected and, after consideration of the Barden amendment, then there will be a vote on substituting the House bill for the Senate bill. If that is done, the discussion is ended in the Committee of the Whole. If the substitution is voted down, then the Senate bill will be taken up and read for amendment under the 5-minute rule. Let us adopt the rule and then let members of the Veterans' Committee, who are advised, explain the details of the bill.

The SPEAKER. The time of the gentleman has expired.

Mr. SABATH. Mr. Speaker, I yield 7 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein certain statements and excerpts as well as two editorials.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

#### FOR VETERANS' BILL

Mr. PATMAN. Mr. Speaker, I am very much in favor of this bill. I am more inclined to the Senate bill than I am the House bill, but I will withhold my decision until I hear the House bill fully explained. If I vote to change the House bill, I will vote to make it stronger instead of weaker.

#### MOST SINISTER LOBBY EVER ORGANIZED

Mr. Speaker, if we pass bills like this without noticing what is going on elsewhere, it is possible that we will wake up one of these mornings and find our Constitution amended in a way that the debt cannot be paid. I desire to invite your attention to one of the most powerful, one of the most effective, most wealthy, and also the most sordid and most sinister lobby that has ever been organized in the history of the United States of America that is now trying to secure the adoption of a constitutional amendment for the purpose of limiting the power of Congress to tax incomes more than 25 percent or to tax gifts or to tax estates more than 25 percent.

#### EFFORT MADE TO SLIP THROUGH TWENTY-SECOND AMENDMENT

They are trying to do it quietly. You probably never heard of this proposal to get the twenty-second amendment to the United States Constitution adopted. I never heard of it until recently, and then I commenced to investigate, and I discovered that 14 States had already adopted it. Now I learn that 16 States have adopted it. This very clever group has devised a plan through which they believe they can by the town-hall method, slip through an amendment to the Constitution of the United States doing exactly what I have said. That is



the important purpose and immediate objective of that sinister organization.

#### LOTS OF MONEY RAISED

This organization is headed by Mr. Frank Gannett, of New York, and a former Member of this House, a former Congressman from Indiana, Mr. Samuel Pettengill. They have been going all over the United States getting enormous sums of money, too, under the pretense that they would slip through this constitutional amendment and save these rich taxpayers enormous sums of money. The proof is abundant to that effect. You have not seen anything in the newspapers about it, probably because it has been concealed. A few weeks ago the New Jersey Legislature passed and adopted this proposal, although New Jersey had defeated it in 1939. You have not seen anything in the newspapers about that. It is not their policy to give publicity to it. They want to slip it through. They have devised this plan and through their clever attorneys and experts they have a scheme by operating through article V of the Constitution to get the Constitution amended, if they can, in a way that you will not know it, and before you know it, through the instrumentality of 36 State legislatures, no one State assuming much responsibility.

#### ARE WE RENDERING LIP SERVICE TO THE VETERANS?

If they are successful in their efforts we are just rendering lip service to the veterans and their dependents. We will not be able to take care of the men who have sacrificed; we will not be able to pay a penny to those who have lost eyes, legs, and arms, and are permanently disabled; we will not be able to pay anything to the widows and to the dependents of those who have given their lives upon the field of battle to save our country in time of war if this sinister organization succeeds in what is known to be its primary objective.

Furthermore, there will be no old-age assistance; there will be no social security. When this war is over we will have a national debt probably in excess of \$300,000,000,000. The annual carrying charges for this enormous debt will be a minimum of \$7,000,000,000 and probably more nearer \$9,000,000,000. That, along with the minimum amount required for the operating expenses of this Government will take up all the tax money that can possibly be raised if this amendment is a part of our Constitution. Nothing will be left for the veterans, their dependents, or the aged. So while we are thinking about the servicemen and taking care of them, we better pay just a little attention to what is going on through this fascistic group, and it is a Fascist group. It is hiring people to run for office all over this country, promising to support them through a liberal contribution of funds, and they have plenty of money for that purpose if the ones agreeing to run will support their Fascist views and turn the country over to the rich.

#### RICH APPEALED TO

You can imagine how one of these people will go before a group of rich taxpayers and say, "Now, we are going

to get this constitutional amendment through which will prevent your paying more than 25-percent income taxes annually." You take a taxpayer who paid \$100,000 last year on a \$150,000 income. Perhaps the ratio is not exactly right, but for the purpose of this illustration I presume it will suffice. He will take the position, "Why should I not pay \$1,000 or \$10,000 on this Gannett-Pettengill plan? It is a good risk. I can afford to speculate with a thousand dollars to save maybe \$75,000 per year from now on." In that way they are raising barrels of money all over the United States expecting to slip through this amendment which will stop all aid to servicemen, all social security, and all old-age assistance.

Mr. CHURCH. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I just do not have the time. My time is almost up; it is very limited.

Mr. CHURCH. The gentleman called them a Fascist group. Why?

#### FASCIST GROUP

Mr. PATMAN. Yes; I called them a Fascist group.

Mr. CHURCH. Why refer to them as a Fascist group?

Mr. PATMAN. Because one of the organizers, promoters, and now one of their most active helpers, spent 2 years in Italy before the war studying fascism, and he is with them today, and he is working with them. Their activities have the brands and earmarks of fascism. You cannot judge it any other way. They want to turn the country over to the rich. If this amendment were to become law, in a few years a few families would own the entire wealth of this Nation. Is that not fascism? Certainly it is a justified charge.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. SABATH. Mr. Speaker, I yield 3 additional minutes to the gentleman from Texas. He is giving the House and the country very valuable information.

Mr. PATMAN. Well, now, the gentlemen on the Republican side, of course, can laugh about it, as they indicate they would like to, but when you sit idly by and let this United States Constitution be amended that way, and then you can say to the veterans, "Yes; we tried to help you. We wanted to give you thousands of dollars apiece, but we had no way of paying it," why, it will become a very serious matter. When an organization can get up hundreds of thousands of dollars from every section of the United States, and spend it in every section of the United States, it is something that you had better give serious consideration to, because it is a very effective group.

Furthermore, in support of that group, this woman, Vivian Kellems, is out making speeches to repeal the sixteenth amendment and adopt the twenty-second amendment; that is being sponsored by the Gannett-Pettengill crowd. She is out making speeches for them—the woman who now refuses to pay her income tax and advises everybody else to refuse to pay their income taxes. She is out making speeches for this proposal

which will deny to all veterans, all veterans' widows, all disabled soldiers, all old-age assistance people, one penny in the future, if this sinister amendment becomes the law. Vivian Kellems says in her speeches:

There is on foot, and well under way, a move to repeal the sixteenth amendment.

Remember now, this crowd first wants to repeal the sixteenth amendment and to set in its place the twenty-second amendment, which would limit the amount the Federal Government could tax our incomes to 25 percent. She says:

I would repeal the sixteenth amendment. Like grandpaw, in You Can't Take It With You, I do not believe in it.

She is advocating the Gannett-Pettengill twenty-second amendment. This is something, I believe, that should receive immediate attention by this Congress. It is too serious to escape notice. It involves every appropriation that we make. We might just as well not make an appropriation if we are going to permit our United States Constitution to be amended in any such town-hall-meeting fashion as this. They have already gotten, or they are securing, according to their own claims, from one to four thousand influential people in every congressional district in this country that will stand up at the proper time and say "Support the Constitution. Support the Constitution. The Constitution says no taxes over 25 percent. Let us stay by it." In the meantime they are trying to defeat all Members of Congress they believe will interfere with their plans.

Whenever you permit the Gannett-Pettengill amendment to become the twenty-second amendment, you destroy this Government.

#### MORE ABOUT TWENTY-SECOND AMENDMENT

I am inserting herewith an editorial which appeared in the Philadelphia Record, Saturday, April 15, 1944, concerning the proposed twenty-second amendment to the Constitution. It is as follows:

#### A MILLIONAIRES' AMENDMENT TO THE CONSTITUTION?

"The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."

So observed Anatole France. The same "majestic equality" is behind the proposal of a millionaires' lobby to amend the Constitution of the United States limiting income taxes—on poor and rich alike—to 25 percent.

Under that proposed amendment, a Henry Ford, who now pays about \$800,000 taxes on a \$1,000,000 income, could not be charged more than \$250,000.

And Joe Smith, who now pays perhaps \$175 taxes on a \$2,000 income, could have his taxes boosted to \$500.

You will be surprised—as many have been—to learn that 16 States so far have passed resolutions demanding such a constitutional amendment, including Pennsylvania, and, most recently, New Jersey. Governor Edge signed the Jersey resolution April 5.

Thirty-two States can compel Congress to call a constitutional convention to act on this amendment.

#### SPONSORED BY NOTORIOUS COMMITTEE

This proposed constitutional amendment is being promoted by the notorious Committee

for Constitutional Government, headed by Frank Gannett.

Under its terms, not only income-tax rates but also inheritance-tax rates would be put under the 25-percent limit, except in wartime.

Effect of the scheme would be to repeal the present income-tax law and destroy its basic principle of levying taxes according to ability to pay.

Should the amendment be adopted: (a) Taxes on big incomes would be slashed; (b) to make up for the decline in Federal income, taxes on lower and middle bracket incomes would have to be increased heavily.

We do not believe this amendment ever can be adopted—if the public is kept aware of what is going on.

But the very fact that 16 States have been swung into line thus far is warning that vigilance in this matter is long overdue.

So far some 250,000 circulars have been distributed by Gannett's committee; it is reported to have a campaign fund of \$50,000; it enjoys support of the Hearst press; and it is endorsed by several Members of Congress and, significantly, by many ex-America Firsters.

#### WHILE SOLDIERS FIGHT FOR THEIR COUNTRY THESE MEN FIGHT FOR THEIR PURSES

Remembering that many voters are away fighting for their country while these men fight for their purses, and that public attention has been fixed on the war—liberals will do well not to underestimate the danger from this movement.

Indeed, some people may be deceived by its surface plausibility, by its pretense of equality.

Not, however, if they remember the days when a reactionary Government in Washington granted poor and rich alike the privilege of selling apples on street corners.

#### EVEN MORE ABOUT TWENTY-SECOND AMENDMENT

I am inserting herewith an editorial which appeared in the Philadelphia Record, Tuesday, May 2, 1944, concerning the twenty-second amendment to the Constitution. It is as follows:

#### THEY HATE THE PRESIDENT WORSE THAN HITLER: No. 2

The above is not written in perfect English, but we think you get the idea.

Second portrait in our gallery of Roosevelt-haters is that of Frank Gannett, of Rochester, N. Y., head of the third largest newspaper chain in the country.

Mrs. Gannett once told an amusing story. She was about to give a dinner party and couldn't find flowers in the colors she wanted. So she took what flowers she had in her garden and dusted them with colored chalk powder—until the blooms were in the exact hue desired.

This is how Gannett handles news and information. He takes a fact or an idea, dusts it with the powder of prejudice against the President—and lo, the result is colored precisely as he wants it.

By this device he managed to portray proposed expansion of social security as a New Deal plot to get "itching hands" on the \$30,000,000,000 assets of United States life insurance companies. With the same device he argued that the President was dragging the country into war, and he now uses it to claim the President laggard in the war effort.

No matter what Roosevelt does, Frank Gannett gets out his editorial flit gun, sprays prejudice powder—and proves F. D. R. wrong.

Gannett knows all about war. He is waging one. Against the President, of course. Right now he is in the news for two engagements on this Gannett second front:

(a) His sponsorship of the millionaires' amendment to the income tax law, which

would limit rich men's income taxes to 25 percent, and boost the taxes of small wage earners to make up for lost revenue;

(b) His attempt to suppress John Roy Carlson's famous book, Under Cover, a campaign in which the publishers, E. P. Dutton & Co., charged intimidation, and which has had the effect of keeping Carlson's volume No. 2 in the non-fiction popularity list.

But the Gannett hatred of Roosevelt goes way back. It was a hate set deep, like a toad in its hole. In 1933 Gannett charged the President with creating unemployment, and causing hundreds of thousands to lose their homes and businesses. A few months later, with a perfectly straight face, Gannett announced that the year had been so profitable for his papers that all employees of more than a year's service would be paid a bonus.

It was during the Supreme Court fight that Gannett set up his committee for constitutional government, which ever since has whanged the tom-toms of reaction and hate.

#### WIN WAR BY CUTTING INCOME TAXES

It is this outfit which is now waging Gannett's fight to help the war effort by cutting income taxes. A new publication, Needed Now, tells of its various fights to wrap reactionary greed in the Constitution, of its war against the third term, of its campaign for a \$400,000 fund, and its boasts that since 1937 the Gannett propaganda machine has sent out:

Eighty-two million pieces of literature; 760,000 books; more than 10,000 radio transcripts, 350,000 telegrams, full-page ads in 536 newspapers, and thousands of weekly releases to newspapers.

Gannett, in addition, has sent countless letters to private individuals urging them to bigger and better hatred of the President.

We have looked through them for hatred of Hitler. But mention of the Nazi seldom appears—except for one purpose:

To argue that Roosevelt is imitating Hitler. What ails Gannett?

Some of his friends say it's astigmatism. As a Presidential candidate in 1940, he couldn't see the link between democracy—the will of the people—and the reelection of Roosevelt. As a businessman he couldn't see the connection between New Deal recovery and the fact that his own business made \$600,000 more in 1938 than it had made in the last G. O. P. year of 1932.

As a citizen he now cannot see why it is atrocious taste and worse patriotism to be doing his fighting against the President and for a cut in income taxes of the rich at a time when Americans are dying on the battlefield that the right of the Gannetts to gripe shall be preserved.

Somebody once pointed out that Gannett was a Democrat until he paid off the first quarter of a million dollars he owed. Then he became a Republican.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. FISH. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. KILBURN].

Mr. KILBURN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record and include therein some letters on the St. Lawrence waterway.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, I yield to the gentleman from Wisconsin [Mr. MURRAY], such time as he may desire.

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that today after the legislative program and following any special orders heretofore

entered I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. FISH. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am not concerned with the merits or demerits of any constitutional amendment. We in this country believe in free speech and the right of any American citizen to advocate any change in our form of government through a constitutional amendment in the regular and orderly way. That is what Mr. Gannett and Mr. Pettengill have been doing. There are no more loyal, patriotic citizens in this country than Frank Gannett and former Congressman Sam Pettengill, and I want to deny that part of the statement that has just been made that either of these patriotic gentlemen, whom we all know, is connected, directly or indirectly, with any Fascist group in America.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. MASON. I would like to know what difference there is, as far as Americanism is concerned, between a group that seeks to limit the taxing power of the Federal Government and a group which seeks to confiscate all of the property of the Nation and operate it upon a socialistic basis?

Mr. FISH. Let me say to the gentleman, without going into that issue, that we still live in a free country. All sovereign Americans have a right to their views and to express them, and that is what Mr. Gannett has done, and that is what Sam Pettengill has done. I repeat, there are no better Americans in the country than these two gentlemen and firm supporters of representative and constitutional government. I wish there were more of them for the good of the country and the preservation of American ideals, traditions, and our republican form of government.

Mr. Speaker, I yield the balance of my time to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Speaker, this bill is the first one of major importance that I, as a freshman Member, have had an opportunity to follow through from its inception to presentation on the floor of the House.

If every member of the public could have had a seat in the committee room and observed the manner in which this committee performed, often in their shirt sleeves, I am sure their faith in our legislative processes would have been justified or restored.

Of course, there were some differences in opinion—but at no time was there any evidence of irritation—at no time did tempers grow short. Individual ideas of each member gave way to the opinion of the majority without any attempt to push through pet proposals.

On the major features the result to be obtained was first determined, then discussion was had upon its effect upon the



veteran and the Nation, and finally the methods best suited to achieve the desired results were carefully considered.

Every member worked long and faithfully, sometimes far into the night, cheerfully sharing the task before them.

Each paragraph, each phrase and—I may even add—each punctuation mark was carefully scrutinized and analyzed, and its effect carefully measured.

Whether the results obtained and reflected in this bill are good is for you to judge.

Incidentally, among the members of the committee you will find one veteran of this conflict, a past national commander of the V. F. W., three past State commanders of the American Legion, other veterans of World War No. 1, and fathers of members of today's armed forces, and one, while not a war veteran, is a veteran of many campaigns on behalf of veterans—the gentlewoman from Massachusetts. Every member has the welfare of present and future veterans close to his heart.

Through all the deliberations we did not lose sight of the fact that our paramount obligation is to those who have and will become disabled—that they must be cared for first and best at any cost—even, if necessary, to the abolition of any or all of the costly measures incorporated in this bill—a cost as yet unknown.

As we visualized our objective as expressed by the leaders of our great veteran organizations, we were to place our returning veterans, as nearly as possible, in the position they would have held had it not been for the incident of their service—service which in many cases has already extended over 3½ years—which may ultimately extend to 5 or 6 years—a period of service that will make readjustment to civil life difficult at best.

These men, as we did 25 years ago, will desire to be free from governmental control and restraint. They will desire to be civilians—free, unfettered, unregistered, self-reliant, courageous—facing the future unafraid.

Hence, it was the express purpose that these men should be freed from red tape—able to go to only one agency for the service to which they are entitled—an agency which has for nearly a quarter of a century dealt with veterans and their problems with full and complete sympathetic understanding. That one agency is the Veterans' Administration.

To help them help themselves to reestablish and readjust themselves has been the aim of this bill as brought to you by your committee.

In many ways this bill is probably more liberal than these soldiers themselves might ask—especially if we, with our productive genius, wisdom, and determination, make it possible for them to realize the dream they have had in fox holes and swamps—of getting a job—buying a radio, car, home—and settling down to a normal, peaceful American life.

This bill, as it now appears before you, has eliminated all overlapping governmental bureaus and agencies with no experience relating to veterans, concentrat-

ing all matters within the jurisdiction of the experienced Veterans' Administration, an agency that 25 years ago supervised the education of over 300,000 and will again do so for 1,500,000 disabled men who will come under the supervision of this agency.

Having brought this war to a speedy, victorious end, and having returned these veterans of more than 50 fronts to their homes, this bill will in its major items—

First. Provide education in the school of their choice to those whose education was interrupted, under a plan simple in terms and administration.

Second. Enable them to readjust themselves to their regained position in civil life if by chance they are unable to enjoy continuous employment.

Third. Aid in purchase of a home, farm, or business through local, State, or Federal financial agencies of their choice—earning and going their own way.

This bill is the summation of literally hundreds of measures dealing with the problems of veterans of whom there are already one and one-fourth millions. It is imperfect, as all works of men are imperfect. Hence, our minds are open to constructive suggestions, improvements are welcomed, and we all sincerely hope that the provisions of this bill will be considered with open minds by Members of the House.

Much yet remains to be done before we can celebrate the return of our victorious troops, but this readjustment bill will help them upon their return—their return now or later, to their well-earned reward of a stable, peaceful future as self-reliant, self-supporting citizens of our American communities.

#### TWENTY-SECOND AMENDMENT TO THE CONSTITUTION

Mr. SABATH. Mr. Speaker, it is but natural that the gentleman from New York [Mr. FISH] defends Mr. Gannett and Mr. Pettengill, whom the gentleman from Texas [Mr. PATMAN] has pointed out, through the means of organizations which they formed, have been for some time working to bring about the repeal of the sixteenth amendment to the Constitution. They have been working secretly in an undercover manner to bring about the adoption of the twenty-second amendment to the Constitution that would limit Congress from imposing more than a 25-percent income tax on the wealthy gentlemen and their corporations. The gentleman from Texas did not charge that they were unpatriotic or disloyal, but he did say that they were Fascists and are pursuing contemptible Fascist aims.

If I am not mistaken, Mr. Gannett is a publisher and at one time aspired to be a candidate for President or Vice President on the Republican ticket—I do not recollect which. Of course I know Mr. Pettengill because I served with him in this House, and I know of his reactionary views and of his desire to serve the Republican interests. Since joining the Republican Party he has been regarded by some of us as a renegade Democrat and this term may be rightly

applied when he assumed the treasuryship of the Republican National Committee or when he assumed the chairmanship of the Republican National Finance Committee for the purpose of aiding that organization in the matter of the 1942 elections.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Indiana.

Mr. HALLECK. Mr. Pettengill is not now connected with the Republican National Committee as treasurer.

Mr. SABATH. I thank the gentleman for calling my attention to the fact he is no longer the treasurer of the Republican National Committee. However, I am certain, as I have stated, that he is now devoting himself to publicity and to the activities for the organization which has been campaigning for the past 2 years to limit the powers of Congress in imposing an income tax not to exceed 25 percent on the income of those in the higher brackets. I am informed that Mr. Pettengill succeeded Mr. Frank Gannett as chairman of the National Committee to Uphold Constitutional Government, Inc., as of January 21, 1940. This organization was disbanded in April 1941 and was immediately succeeded by a District of Columbia incorporation known as the Committee for Constitutional Government, Inc., with Mr. Pettengill as chairman and president of the successor organization. Mr. Pettengill is still listed as a member of the board of advisers of the Committee for Constitutional Government, Inc., and it can be assumed that Mr. Pettengill was active in the affairs of the Committee for Constitutional Government, Inc., at the same time that he was holding the post of chairman for the Republican National Finance Committee.

Mr. Speaker, I believe my recollection is right in recalling that a year and a half or 2 years ago this organization under the cloak of being a patriotic society enlisted the cooperation of school children through the medium of essay competitions in justifying their activities by offering prizes for the best compositions on free enterprise and constitutional government. This program undoubtedly served as missionary work in establishing the worthy objects of the organization in the eyes of schools and educational institutions in preparation and to assist in the ultimate purpose of having them later subscribe to the real objective of the organization in obtaining favorable recognition of the 25-percent limitation of income tax.

This organization, as the gentleman from Texas has stated, is collecting tremendous sums of money to carry out the purposes of the organization. I know that very few of the Members here know of these activities. Be that as it may, I do not know as to the arrangements or compensation that Mr. Pettengill is receiving for his work but, undoubtedly, the compensation must be much greater than the very liberal salary he draw from the Republican National Committee. We who have served with him know he is a

very astute and capable gentleman and that he is not doing this work for glory but must be handsomely compensated. I wish it to be understood that engaging in such service does not make him unpatriotic or disloyal and, consequently, the gentleman from Texas should not be criticized. In fact, we who have heard him should commend him for informing us of the activities of the organization which these two gentlemen represent.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

#### EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article from the magazine *Coronet*.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KLEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein two editorials on Free Ports for Refugees, one from the New York Post and the other from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein two letters.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MRUK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a pamphlet published by the Buffalo Chamber of Commerce on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

#### REPORT OF RAILROAD RETIREMENT BOARD—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read, and with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce:

#### To the Congress of the United States:

In compliance with the provisions of section 10 (b) (4) of the Railroad Retirement Act, approved June 24, 1937, and of section 12 (1) of the Railroad Unemployment Insurance Act, approved June 25, 1938, I transmit herewith for the information of the Congress, the report of the Railroad Retirement Board for the fiscal year ended June 30, 1943, including an estimate of the liabilities created by the Railroad Retirement Acts of 1935 and 1937 as required by subsection (d) of section 15 of the Railroad Retirement Act of 1937.

FRANKLIN D. ROOSEVELT.  
THE WHITE HOUSE, May 11, 1944.

#### EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—RETIRED OFFICERS OR EMPLOYEES OF THE UNITED STATES FOR WHOM THE DEPARTMENT OF STATE IS HOLDING DECORATIONS, ORDERS, MEDALS, OR PRESENTS TENDERED THEM BY FOREIGN GOVERNMENTS (H. DOC. NO. 583)

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs and ordered to be printed:

#### To the Congress of the United States of America:

I am forwarding, for the consideration of the Congress, a communication from the Secretary of State transmitting a list of those retired officers or employees of the United States for whom the Department of State under the provisions of the act of January 31, 1881 (U. S. C., title 5, sec. 115), is holding decorations, orders, medals, or presents tendered them by foreign governments. The list has been divided into two parts (1) those countries which are cobelligerent or friendly nations and (2) enemy countries. It is believed that the Congress may wish to consider a joint resolution suspending the operation of Public Resolution No. 52 of June 27, 1934, until such time as the international situation would permit wholly objective consideration of such matters, or to consider granting legislation at this time to permit only of distributions of decorations, et cetera, to the recipients intended by friendly governments.

FRANKLIN D. ROOSEVELT.

The WHITE HOUSE, May 11, 1944.

[Enclosures: 1. From the Secretary of State; 2. List.]

#### FEDERAL GOVERNMENT AID FOR THE READJUSTMENT IN CIVILIAN LIFE OF RETURNING WORLD WAR NO. 2 VETERANS

Mr. RANKIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (S. 1767) to provide Federal Government aid for the readjustment in civilian life of returning World War No. 2 veterans.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill S. 1767, with the gentleman from Texas [Mr. LANHAM] in the chair.

The Clerk read the title of the bill.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with and that the substitute committee amendment be printed in the RECORD at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The committee substitute amendment is as follows:

*Be it enacted, etc.,* That this act may be cited as the "Servicemen's Readjustment Act of 1944."

#### TITLE I

##### CHAPTER I—HOSPITALIZATION, CLAIMS, AND PROCEDURES

SEC. 100. The Veterans' Administration is hereby declared to be an essential war agency and entitled, second only to the War and Navy Departments, to priorities, in personnel, equipment, supplies, and material under any laws, Executive orders, and regulations pertaining to priorities, and in appointments of personnel from civil-service registers the Administrator of Veterans' Affairs is hereby granted the same authority and discretion as the War and Navy Departments and the United States Public Health Service.

SEC. 101. The Administrator of Veterans' Affairs and the Federal Board of Hospitalization are hereby authorized and directed to expedite and complete the construction of additional hospital facilities for war veterans, and to enter into agreements and contracts for the use or transfer of suitable Army and Navy hospitals by the Veterans' Administration after cessation of hostilities or after such institutions are no longer needed by the armed services; and the Administrator of Veterans' Affairs is hereby authorized to establish necessary regional offices, suboffices, branch offices, contact units, or other subordinate offices in centers of population where there is no Veterans' Administration facility, or where such a facility is not readily available or accessible: *Provided*, That there is hereby authorized to be appropriated from time to time such sums as may be necessary for the construction of additional hospital facilities.

SEC. 102. The Administrator of Veterans' Affairs and the Secretary of War and Secretary of the Navy are hereby granted authority to enter into agreements and contracts for the mutual use or exchange of use of hospital and domiciliary facilities, and such supplies, equipment, and material as may be needed to operate properly such facilities, or for the transfer, without reimbursement of appropriations, of facilities, supplies, equipment, or material necessary and proper for authorized care for veterans, except that at no time shall the Administrator of Veterans' Affairs enter into any agreement which will result in a permanent reduction of Veterans' Administration hospital and domiciliary beds below the number now established or approved, plus the estimated number required to meet the load of eligibles under laws administered by the Veterans' Administration, or in any way subordinate or transfer the operation of the Veterans' Administration to any other agency of the Government.

Nothing in the Selective Training and Service Act of 1940, as amended, or any other act, shall be construed to prevent the transfer or detail of any commissioned, appointed, or enlisted personnel from the armed forces to the Veterans' Administration subject to agreements between the Secretary of War or the Secretary of the Navy and the Administrator of Veterans' Affairs: *Provided*, That no such detail shall be made or extend beyond 6 months after the termination of the war.

SEC. 103. The Administrator of Veterans' Affairs shall have authority to place officials and employees designated by him in such Army and Navy installations as may be deemed advisable for the purpose of adjudicating disability claims of, and giving aid and advice to, members of the Army and Navy who are about to be discharged or released from active service.



SEC. 104. No person shall be discharged or released from active duty in the armed forces until his certificate of discharge or release from active duty and final pay, or a substantial portion thereof, are ready for delivery to him; and no person shall be discharged or released from active service on account of disability until and unless he has executed a claim for compensation, pension, or hospitalization, to be filed with the Veterans' Administration or has signed a statement that he has had explained to him the right to file such claim: *Provided*, That this section shall not preclude immediate transfer to a veterans' facility for necessary hospital care, nor the discharge of any person who refuses to sign such claim or statement: *And provided further*, That refusal or failure to file a claim shall be without prejudice to any right the veteran may subsequently assert.

Any person entitled to a prosthetic appliance shall be entitled, in addition, to necessary fitting and training, including institutional training, in the use of such appliance, whether in a service or a Veterans' Administration hospital, or by out-patient treatment, including such service under contract.

SEC. 105. No person in the armed forces shall be required by any official thereof to sign a statement of any nature relating to the origin, incurrence, or aggravation of any disease or injury he may have, or any other statement against his own interest, and any such statement against his own interest signed at any time, shall be null and void and of no force and effect.

#### CHAPTER II—AID BY VETERANS' ORGANIZATIONS

SEC. 200. (a) That upon certification to the Secretary of War or Secretary of the Navy by the Administrator of Veterans' Affairs of paid full-time accredited representatives of the veterans' organizations specified in section 200 of the act of June 29, 1936 (Public Law No. 844, 74th Cong.), and other such national organizations recognized by the Administrator of Veterans' Affairs thereunder in the presentation of claims under laws administered by the Veterans' Administration, the Secretary of War and Secretary of the Navy are hereby authorized and directed to permit the functioning, in accordance with regulations prescribed pursuant to subsection (b) of this section, of such accredited representatives in military or naval installations on shore from which persons are discharged or released from the active military or naval service: *Provided*, That nothing in this section shall operate to affect measures of military security now in effect or which may hereafter be placed in effect, nor to prejudice the right of the American Red Cross to recognition under existing statutes.

(b) The necessary regulations shall be promulgated by the Secretary of War and the Secretary of the Navy jointly with the Administrator of Veterans' Affairs to accomplish the purpose of this section, and in the preparation of such regulations the national officer of each of such veterans' organizations who is responsible for claims and rehabilitation activities shall be consulted. The commanding officer of each such military or naval installation shall cooperate fully with such authorized representatives in the providing of available space and equipment for such representatives.

#### CHAPTER III—REVIEWING AUTHORITY

SEC. 300. The discharge or dismissal by reason of the sentence of a general court martial of any person from the military or naval forces, or the discharge of any such person on the ground that he was a conscientious objector who refused to perform military duty or refused to wear the uniform or otherwise to comply with lawful orders of competent military authority, or as a deserter, or of an officer by the acceptance of his resignation for the good of the service, shall bar all rights of such person, based

upon the period of service from which he is so discharged or dismissed under any laws administered by the Veterans' Administration: *Provided*, That in the case of any such person, if it be established to the satisfaction of the Administrator that at the time of the commission of the offense such person was insane, he shall not be precluded from benefits to which he is otherwise entitled under the laws administered by the Veterans' Administration: *And provided further*, That this section shall not apply to any war risk, Government (converted), or national service life-insurance policy.

SEC. 301. The Secretary of War and the Secretary of the Navy, after conference with the Administrator of Veterans' Affairs, are authorized and directed to establish in the War and Navy Departments, respectively, boards of review composed of five members each, whose duties shall be to review, upon the request of a former officer or enlisted man or woman or, if deceased, by the surviving spouse, child, or dependent parent, the type and nature of his discharge or dismissal, except a discharge or dismissal by reason of the sentence of a general court martial. Such review shall be based upon all available records of the service department relating to the person requesting such review, and such other evidence as may be presented by such person. Witnesses shall be permitted to present testimony either in person or by affidavit and the person requesting review shall be allowed to appear before such board in person or by counsel: *Provided*, That the term "counsel" as used in this section shall be construed to include, among others, accredited representatives of veterans' organizations recognized by the Veterans' Administration under section 200 of the act of June 29, 1936 (Public Law No. 844, 74th Cong.). Such board shall have authority, except in the case of a discharge or dismissal by reason of the sentence of a general court martial, to change, correct, or modify any discharge or dismissal, and to issue a new discharge in accord with the facts presented to the board. The Articles of War and the Articles for the Government of the Navy are hereby amended to authorize the Secretary of War and the Secretary of the Navy to establish such boards of review, the findings thereof to be final subject only to review by the Secretary of War or the Secretary of the Navy, respectively: *Provided*, That no request for review by such board of a discharge or dismissal under the provisions of this section shall be valid unless filed within 10 years after such discharge or dismissal or after the effective date of this act whichever be the later.

#### TITLE II

##### CHAPTER IV—EDUCATION OF VETERANS

SEC. 400. (A) Subsection (f) of section 1, title I, Public Law No. 2, Seventy-third Congress, added by the act of March 24, 1943 (Public Law No. 16, 78th Cong.), is hereby amended to read as follows:

"(f) Any person who served in the active military or naval forces on or after September 16, 1940, and prior to the termination of hostilities in the present war, shall be entitled to vocational rehabilitation subject to the provisions and limitations of Veterans Regulation No. 1 (a), as amended, part VII, or to education or training subject to the provisions and limitations of part VIII hereby added to said regulation."

(B) Veterans Regulation No. 1 (a) is hereby amended by adding a new part VIII as follows:

##### "PART VIII

"1. Any person who served in the active military or naval service on or after September 16, 1940, and prior to the termination of the present war, who is discharged or released therefrom under honorable conditions, shall be entitled to financial assistance to enable

him to undertake and pursue a course of education or training as may be elected by him, subject to regulations promulgated by the Administrator of Veterans' Affairs pursuant to the authority and within the limitations herein contained: *Provided*, That such course be initiated not later than 2 years after discharge or after the termination of the war, whichever be the later date, and that no such schooling or training shall be afforded beyond 7 years after the termination of the present war: *Provided further*, That he served 90 days or more, or was discharged within such period by reason of an actual service-incurred injury or disability: *And provided further*, That his education or training was impeded, delayed, interrupted, or interfered with by reason of entrance into such service, or that he requires a refresher or retraining course, in no event to exceed 1 year, to fit him for employment or to practice a profession. Any such person, upon application, shall be afforded a course of education or training or a refresher or retraining course not to exceed 1 calendar year. Upon satisfactory completion of such course of education or training, except a refresher or retraining course, a veteran shall, upon application to the Veterans' Administration and subject to the provisions of this title, be entitled to an additional period or periods of continuous instruction not to exceed the time the person was in active service on or after September 16, 1940, and before the termination of the war, exclusive of (1) the 90 days' qualifying service, and (2) any period he was assigned for education or training under the Army specialized training program or the Navy college training program or as a cadet at one of the service academies: *Provided*, That in no event shall the total period of education or training exceed 4 years.

"2. A veteran eligible under this part may enroll in any school or institution of his choice, which will accept him, for education or training, and may, for reason satisfactory to the Administrator, change a course or institution: *Provided*, That any course of education or training under this part may be discontinued at any time if it is found by the Administrator that the conduct or progress of the veteran is unsatisfactory: *Provided further*, That the Administrator from time to time shall secure from the appropriate agency of each State, Territory or possession, or of the District of Columbia, a list of all schools or institutions equipped to supply education or training within such jurisdiction, which schools and institutions, and such additional public or private schools or institutions as may be recognized by the Administrator, shall be deemed qualified to enroll eligible veterans approved for education or training under this part.

"3. While enrolled in and pursuing a course under this part each veteran, upon application, shall be paid a maintenance allowance of \$50 per month if without a dependent or dependents, or \$75 per month if he have a dependent or dependents: *Provided*, That no maintenance allowance shall be paid for other than full-time enrollment and attendance inclusive of leave as may be authorized under this part: *Provided further*, That any person eligible for the benefit of this part who is also eligible for the benefit of part VII may elect which benefit he desires: *And provided further*, That subsistence allowance hereunder shall not, in the event of such an election, exceed the amount of additional pension otherwise payable were the training under said part VII.

"4. Any person eligible under this part, and within the limitations thereof, may pursue such full- or part-time course or courses as he may elect without maintenance allowance.

"5. The Administrator of Veterans' Affairs shall pay to the school or institution for each person enrolled in full-time or part-time

courses of education or training under this part the customary cost of the tuition, laboratory fees, books, supplies and equipment, and other necessary expenses, exclusive of any charge for maintenance, as are generally required for successful pursuit and completion of the course in the institution by other students, but such payment shall not exceed \$500 for each regular school year: *Provided*, That no expenses for infirmity and medical care other than those included in the customary fees, or for travel, shall be authorized under this part.

"6. No department, agency, or officer of the United States in carrying out the provisions of this part shall exercise any supervision or control whatsoever over any State educational agency or State apprenticeship agency or any educational or training institution.

"7. The authority vested in the Administrator by paragraphs 2, 6, and 7, part VII, Public Law No. 16, Seventy-eighth Congress, with respect to vocational rehabilitation shall be vested in, and may be exercised by him with respect to education or training under this part.

"8. In the event a veteran applies for and receives maintenance benefits under this part and subsequently, for any reason, ceases to receive such benefits and becomes eligible to receive allowances under title V of this act, any benefits received under this part shall be deducted from the total allowances provided in title V of this act."

SEC. 401. Section 3, Public Law No. 16, Seventy-eighth Congress, is hereby amended to read as follows:

"SEC. 3. The appropriation for the Veterans' Administration, 'Salaries and expenses, medical and hospital, and compensation and pensions,' shall be available for necessary expenses under part VII, as amended, or part VIII of Veterans Regulation No. 1 (a), and there is hereby authorized to be appropriated such additional amount or amounts as may be necessary to accomplish the purposes thereof. Such expenses may include, subject to regulations issued by the Administrator and in addition to medical care, treatment, hospitalization, and prosthesis, otherwise authorized, such care, treatment, and supplies as may be necessary to accomplish the purposes of part VII, as amended, or part VIII of Veterans Regulation No. 1 (a)."

SEC. 402. Public Law No. 16, Seventy-eighth Congress, is hereby amended by adding thereto a new section 4 to read as follows:

"SEC. 4. Any books, supplies, or equipment furnished a trainee or student under part VII or part VIII of Veterans Regulation No. 1 (a) shall be deemed released to him: *Provided*, That if he fails, because of fault on his part, to complete the course of training or education afforded thereunder, he may be required, in the discretion of the Administrator, to return any or all of such books, supplies, or equipment not actually expended or to repay the reasonable value thereof."

SEC. 403. Paragraph 1, part VII, Veterans Regulation No. 1 (a), (Public Law No. 16, 78th Cong.) is hereby amended by inserting after the word "time" in line 2 the words "on or" and deleting the date "December 6, 1941" and substituting therefor the date "September 16, 1940."

### TITLE III—LOANS FOR THE PURCHASE OR CONSTRUCTION OF HOMES, FARMS, AND BUSINESS PROPERTY

#### CHAPTER V—GENERAL PROVISIONS FOR LOANS

SEC. 500. (a) Any person who shall have served in the active military or naval service of the United States at any time on or after September 16, 1940, and prior to the termination of the present war and who shall have been discharged or released therefrom under honorable conditions after active service of 90 days or more, or by reason of an injury or disability incurred in service in line of duty, shall be eligible for the benefits of this title. Any such veteran may apply within 2 years

after separation of the applicant from the military or naval forces, or 2 years after termination of the war, whichever is the later date, but in no event more than 6 years after the termination of the war, to the Administrator of Veterans' Affairs for the guaranty by the Administrator of not to exceed 50 percent of a loan or loans for any of the purposes specified in sections 501, 502, and 503; provided that the aggregate amount guaranteed shall not exceed \$1,500. If the Administrator finds that the veteran is eligible for the benefits of this title and that the loan applied for appears practicable, the Administrator shall guarantee the payment of the loan or part thereof as set forth in this title.

(b) Interest for the first year on any loan or part thereof guaranteed by the Administrator shall be paid by the Administrator out of available appropriations. No security for the guaranty of a loan shall be required except the right to be subrogated to the lien rights of the holder of the obligation which is guaranteed.

(c) Loans guaranteed by the Administrator under this title shall be payable under such terms and conditions as may be approved by the Administrator: *Provided*, That loans guaranteed by the Administrator shall bear interest at a rate not exceeding 6 percent per annum and shall be payable in full in not more than 20 years. The Administrator is authorized and directed to guarantee loans to veterans subject to the provisions of this title on approved applications made to persons, firms, associations, and corporations and to governmental agencies and corporations, either State or Federal.

#### Purchase or construction of homes

SEC. 501. (a) Any application made by a veteran under this title for the guaranty of a loan to be used in purchasing residential property or in constructing a dwelling on unimproved property owned by him to be occupied as his home may be approved by the Administrator of Veterans' Affairs if he finds—

(1) that the proceeds of such loans will be used for payment for such property to be purchased or constructed by the veteran;

(2) that the contemplated terms of payment required in any mortgage to be given in part payment of the purchase price or the construction cost bear a proper relation to the veteran's present and anticipated income and expenses; and that the nature and condition of the property is such as to be suitable for dwelling purposes; and

(3) that the purchase price paid or to be paid by the veteran for such property or the construction cost, including the value of the unimproved lot, does not exceed the reasonable value thereof as determined by proper appraisal.

(b) Any application for the guaranty of a loan under this section for the purpose of making repairs, alterations, or improvements in, or paying delinquent indebtedness, taxes, or special assessments on, residential property owned by the veteran and used by him as a home, may be approved by the Administrator if he finds that the proceeds of such loan will be used for such purpose or purposes.

(c) No first mortgage shall be ineligible for insurance under the National Housing Act, as amended, by reason of the guaranty of any loan made under this title, or by reason of the lien of the Government upon the property securing such guaranty.

(d) The Administrator may designate such agency or agencies as he deems appropriate for determining whether the guaranty of loans should be approved under this section.

#### Purchase of farms and farm equipment

SEC. 502. (a) Any application made under this title for the guaranty of a loan to be used in purchasing any land, buildings, livestock, equipment, machinery, or implements,

or in repairing, altering, or improving any buildings, to be used in farming operations conducted by the applicant, may be approved by the Administrator of Veterans' Affairs if he finds—

(1) that the proceeds of such loan will be used for payment for real or personal property purchased or to be purchased by the veteran and used in bona fide farming operations conducted by him;

(2) that such property will be useful in and reasonably necessary for efficiently conducting such operations;

(3) that the ability and experience of the veteran, and the nature of the proposed farming operations to be conducted by him, are such that there is a reasonable likelihood that such operations will be successful; and

(4) that the purchase price paid or to be paid by the veteran for such property does not exceed the reasonable value thereof as determined by proper appraisal.

#### Purchase of business property

SEC. 503. Any application made under this title for the guaranty of a loan to be used in purchasing any business, land, buildings, supplies, equipment, machinery, or tools, to be used by the applicant in pursuing a gainful occupation (other than farming) may be approved by the Administrator of Veterans' Affairs if he finds—

(1) that the proceeds of such loan will be used for payment for real or personal property purchased or to be purchased by the veteran and used by him in the bona fide pursuit of a gainful occupation (other than farming);

(2) that such property will be useful in and reasonably necessary for the efficient and successful pursuit of such occupation;

(3) that the ability and experience of the veteran, and the conditions under which he proposes to pursue such occupation, are such that there is a reasonable likelihood that he will be successful in the pursuit of such occupation; and

(4) that the purchase price paid or to be paid by the veteran for such property does not exceed the reasonable value thereof as determined by proper appraisal.

SEC. 504. The Administrator of Veterans' Affairs is authorized to promulgate such rules and regulations as are deemed necessary and appropriate for carrying out the provisions of this title, and may delegate to a subordinate employee authority to approve loans subject to the provisions of this title and the rules promulgated thereunder.

### TITLE IV

#### CHAPTER VI—EMPLOYMENT OF VETERANS

SEC. 600. In the enactment of the provisions of this title the Congress declares the intent and purpose that there shall be an effective job-counseling and employment-placement service for veterans, so that preference in placement shall be afforded qualified veterans, and in order to accomplish the foregoing purposes the responsibility for administering Federal aid in the employment of veterans is hereby vested in the Veterans' Administration. The Administrator of Veterans' Affairs is hereby authorized to utilize agencies and facilities of the Federal Government whenever he determines that such utilization is necessary in securing the employment of veterans.

SEC. 601. Effective as of the first day of the month following the date of enactment of this act the duties, powers, and functions of the Veterans' Employment Service, War Manpower Commission, under the provisions of the act of June 6, 1933 (48 Stat. 114; 29 U. S. C. 49b), without exception, are hereby transferred to the Veterans' Administration.

Effective as of, but not later than, the date of termination of hostilities in the present war the duties, powers, and functions vested in the Director of Selective Service by subsection (g) of section 8 of the Selective Serv-



ice Act of 1940 (Public Law 783, 76th Cong., approved Sept. 16, 1940, as amended (U. S. C., title 50, sec. 308)), are hereby transferred to the Veterans' Administration: *Provided*, That the President is hereby authorized to effectuate such transfer of duties, powers, and functions at any time prior to the termination of the present war.

The records, property, and personnel of the Veterans' Employment Service, War Manpower Commission, are hereby transferred to the Veterans' Administration; and upon transfer of duties, powers, and functions vested in the Director of Selective Service as provided herein, the records and property of the Employment Division, Selective Service, shall be transferred to the Veterans' Administration.

Sec. 602. In addition to such organization in the central office of the Veterans' Administration as is deemed necessary to administer the provisions of this title, the Administrator of Veterans' Affairs is authorized and directed to appoint and assign to each of the States (the Territories, possessions, and the District of Columbia) a veterans' employment representative, who shall be an honorably discharged war veteran and have resided in the State for a period of at least 6 months prior to his appointment, and who shall be appointed in accordance with the civil-service laws, at a compensation fixed in accordance with the Classification Act of 1923, as amended. Each such veterans' employment representative shall be associated with the staff of the public employment service in the State (the Territory, possession, or the District of Columbia) to which he has been assigned. He shall be administratively responsible to the Administrator of Veterans' Affairs for the execution of the veterans' placement policies through the public employment service in the State (the Territory, possession, or the District of Columbia). In cooperation with the public employment service staff in the State or on his own initiative, he shall—

(a) supervise the registration of veterans or register veterans in local employment offices for suitable types of employment;

(b) assist in securing and maintaining current information as to the various types of available employment in public works and private industry or business;

(c) promote the interest of employers in employing veterans;

(d) maintain regular contact with employers and veterans' organizations with a view of keeping employers advised of veterans available for employment and veterans advised of opportunities for employment;

(e) assist in every possible way in the advancement of employment of veterans; and

(f) see that any laws pertaining to veterans' preferences are enforced, and where possible, persuade employers to give the preference to any veteran who has qualifications equal to those of a nonveteran applicant for employment.

Sec. 603. There may be assigned by the administrative head of the employment service in the State one or more employees of the staffs of local employment service offices, whose services shall be primarily devoted to discharging locally the veterans' employment duties delegated to him by the State office and by the veterans' employment representative, Veterans' Administration, by agreement with the State office.

Sec. 604. Any Federal agency shall upon request furnish the Administrator of Veterans' Affairs such records, statistics, or information as may be necessary or appropriate in administering provisions of this title, and shall cooperate with the Administrator of Veterans' Affairs in providing employment opportunities for veterans.

Sec. 605. The unexpended balance of funds appropriated for the current fiscal year for the Veterans' Employment Service shall be

transferred by the War Manpower Commission to the Veterans' Administration for use in carrying out the provisions of this title.

SEC. 606. The term "veteran" as used in this title shall mean a person who served in the active service of the armed forces during a period of war in which the United States has been or is engaged and who has been discharged or released therefrom under honorable conditions.

#### TITLE V

##### CHAPTER VII—READJUSTMENT ALLOWANCES FOR FORMER MEMBERS OF THE ARMED FORCES WHO ARE UNEMPLOYED

SEC. 700. (a) Any person who shall have served in the active military or naval service of the United States at any time after September 16, 1940, and prior to the termination of the present war, and who shall have been discharged or released from active service under honorable conditions after active service of 90 days or more, or by reason of an injury or disability incurred in service in line of duty, shall be entitled, in accordance with the provisions of this title and regulations issued by the Administrator of Veterans' Affairs pursuant thereto, to receive a readjustment allowance as provided herein for each week of unemployment, up to 26 weeks, which (1) begins after the first Sunday of the third calendar month after the date of enactment thereof, and (2) occurs during the 24-month period, after discharge or release: *Provided*, That no such allowance shall be paid for any period for which he receives increased pension under part II of Veterans Regulation 1 (a) or a subsistence allowance under part VIII of such regulation: *Provided further*, That no readjustment allowance shall be payable for any week commencing more than 3 years after the termination of hostilities in the present war.

(b) Such person shall be deemed eligible to receive an allowance for any week of unemployment if claim is made for such allowance and the Administrator finds with respect to such week that—

(1) the person is residing in the United States at the time of such claim;

(2) the person is completely unemployed, having performed no service and received no wages, or is partially unemployed in that services have been performed for less than a full workweek and the wages for the week are less than the allowance under this title plus \$3;

(3) the person is registered with and continues to report to a public employment office, in accordance with its regulations;

(4) the person is able to work and available for suitable work: *Provided*, That no claimant shall be considered ineligible in any period of continuous unemployment for failure to comply with the provisions of this subparagraph if such failure is due to an illness or disability which occurs after the commencement of such period.

##### CHAPTER VIII—DISQUALIFICATIONS

SEC. 800. (a) Notwithstanding the provisions of section 700, a claimant shall be disqualified from receiving an allowance if—

(1) he leaves suitable work voluntarily, without good cause, or is suspended or discharged for misconduct in the course of employment;

(2) he, without good cause, fails to apply for suitable work to which he has been referred by a public employment office, or to accept suitable work when offered him; or

(3) he, without good cause, does not attend an available free training course as required by regulations issued pursuant to the provisions of this title.

(b) Notwithstanding the provisions of section 700, a claimant shall also be disqualified from receiving an allowance for any week with respect to which it is found that his unemployment is due to a stoppage of work

which exists because of a labor dispute at the factory, establishment, or other premises at which he is or was last employed: *Provided*, That this subsection shall not apply if it is shown that—

(1) he is not participating in or directly interested in the labor dispute which causes the stoppage of work; and

(2) he does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage there were members employed at the premises at which the stoppage occurs, any of whom are participating in or directly interested in the dispute: *Provided, however*, That if in any case separate branches of work, which are commonly conducted as separate business in separate premises, are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment, or other premises.

(c) (1) If a claimant is disqualified under the provisions of paragraph 1 of subsection (a) of this section, he shall be disqualified to receive any readjustment allowance for the week in which the cause of his disqualification occurred and for the three immediately following weeks. In addition, the total number of weeks for which he might otherwise be eligible to receive readjustment allowances shall be reduced by the number of weeks for which the claimant shall have been disqualified.

(2) If a claimant is disqualified under the provisions of paragraphs (2) and (3) of subsection (a) of this section, he shall be disqualified to receive any readjustment allowance for the week in which the cause of his disqualification occurred and for all subsequent weeks until he has had substantially full-time employment for wages for a period of not less than 2 weeks, or, in the event of any subsequent disqualification, for such longer period as the Administrator may prescribe in such case, not to exceed 4 weeks.

(3) In addition to the disqualification prescribed in paragraph (c) (1) above, the Administrator may, in cases of successive disqualifications under the provisions of paragraph (1) of subsection (a) of this section, impose the disqualifications provided in paragraph (c) (2).

(d) (1) In determining under subsection (a) of this section the suitability of work or the existence of good cause with respect to a claimant, the conditions and standards prescribed by the unemployment-compensation laws of the State in which he files his claim shall govern.

(2) In determining under subsection (a) of this section the suitability of work, no work shall be deemed suitable for an individual if—

(A) the position offered is vacant due directly to a strike, lock-out, or other labor dispute; or

(B) the wages, hours, or other conditions of the work offered are substantially less favorable to him than those prevailing for similar work in the locality; or

(C) as a condition of being employed he would be required to join, or to resign from, or to refrain from joining, any labor union or labor organization.

##### CHAPTER IX—AMOUNT OF ALLOWANCE AND PAYMENT

SEC. 900. (a) The allowance for a week shall be \$20 less that part of the wages payable to him for such week which is in excess of \$3: *Provided*, That where the allowance is not a multiple of \$1, it shall be computed to the next highest multiple of \$1.

(b) The number of weeks of allowances to which each eligible veteran shall be entitled shall be determined as follows: For each calendar month or major fraction thereof of active service the veteran shall be entitled to 3 weeks of allowances, but in no event to exceed the maximum provided in section 700.

Sec. 901. (a) Readjustment allowances shall be paid at intervals prescribed by the unemployment-compensation law of the State in which the claim was made.

(b) Any allowances remaining unpaid upon the death of a claimant shall not be considered a part of the assets of the estate of the claimant, or liable for the payment of his debts, or subject to any administration of his estate, and the Administrator may make payment thereof to such person or persons he finds most equitably entitled thereto.

Sec. 902. Any veteran who is self-employed in business, agriculture, or other pursuits in which a period of waiting is necessary before productive returns are normally available shall be eligible for the readjustment allowance not to exceed the period provided in this title upon application through the State representative to the Administrator and upon satisfactory showing of substantial (at least 50 percent) lack of normal return by reason of such waiting period.

Such self-employed veteran shall not be required to comply with the provisions of the unemployment-compensation laws of the various States, or be subject to the disqualification provisions hereof, but in lieu thereof shall furnish the Administrator with a statement of income each month.

Payments herein provided shall be made by the Administrator at the time and in the manner other payments are made to veterans by the Administrator.

#### CHAPTER X—ADJUSTMENT OF DUPLICATE BENEFITS

Sec. 1000. (a) Where an allowance is payable to a claimant under this title and where, for the same period, either an allowance or benefit is received under any Federal or State unemployment or disability compensation law, the amount received or accrued from such other source shall be subtracted from the allowance payable under this title (except that this section shall not apply to pension, compensation, or retired pay paid by the Veterans' Administration); and the resulting allowances, if not a multiple of \$1, shall be readjusted to the next higher multiple of \$1.

(b) In the event a veteran applies for and receives allowances under this title and subsequently, for any reason, ceases to receive allowances provided herein and becomes eligible to receive benefits under title II of this act, any allowances received under this title shall be deducted from the total allowances provided in title II.

#### CHAPTER XI—ADMINISTRATION

Sec. 1100. (a) The Administrator of Veterans' Affairs is authorized to administer this title and shall, insofar as possible, utilize existing facilities and services of Federal and State departments or agencies on the basis of mutual agreements with such departments or agencies. Such agreements shall provide for the filing of claims for readjustment allowances with the Administrator through established public employment offices and State unemployment compensation agencies. Such agencies, through agreement, shall also be utilized in the processing, adjustment, and determination of such claims and the payment of such allowances. To facilitate the carrying out of agreements with State departments or agencies and to assist in the discharge of the Administrator's duties under this title, a representative of the Administrator, who shall be an honorably discharged war veteran and have resided in the State for a period of at least 6 months prior to his appointment, shall be located in each participating State department or agency.

(b) The Administrator shall prescribe such rules and regulations and require such records and reports as he may find necessary to carry out the purposes, and consistent with the provisions, of this title.

(c) The Administrator may delegate to any officer or employee of his own or of any co-

operating department or agency of any State such of his powers and duties, except that of prescribing rules and regulations, as the Administrator may consider necessary and proper to carry out the purposes of this title.

(d) Allowances paid by the cooperating State agencies shall be repaid upon certification by the Administrator. The Secretary of the Treasury, through the Division of Disbursement of the Treasury, and without the necessity of audit and settlement by the General Accounting Office, shall pay monthly to the departments, agencies, or individuals designated, the amounts so certified.

(e) The Administrator shall from time to time certify to the Secretary of the Treasury for payment in advance or otherwise such sums as he estimates to be necessary to compensate any Federal department or agency for its administrative expenses under this title. Such sums shall cover periods of no longer than 6 months.

The Administrator shall also from time to time certify to the Social Security Board such State departments or agencies as may be participating in the administration of this title. Upon such certification the Social Security Board shall, in addition to the amounts certified under the provisions of section 302 (a) of the Social Security Act, as amended, certify to the Secretary of the Treasury for payment to each State such amounts as the Board determines to be necessary for the administrative expense of such State under this title the additional amount so certified to be reimbursed out of the appropriations for the Veterans' Administration.

(f) Any money paid to any cooperating agency or person, which is not used for the purpose for which it was paid shall, upon termination of the period covered by such payment or the agreement with such agency or person, be returned to the Treasury and credited to the current appropriation for carrying out the purpose of this title, or, if returned after the expiration of period covered by this title, shall be covered into the Treasury as miscellaneous receipts.

Sec. 1101. (a) No person designated by the Administrator as a certifying officer shall, in the absence of gross negligence, or intent to defraud the United States, be liable with respect to the payment of any allowance certified by him under this title.

(b) No disbursing officer shall, in the absence of gross negligence, or intent to defraud the United States, be liable with respect to any payment by him under this title if it was based upon a voucher signed by a certifying officer designated by the Administrator.

Sec. 1102. Any claimant whose claim for an allowance has been denied shall be entitled to a fair hearing before an impartial tribunal of the State agency. The representative of the Administrator located in each State shall be the final appellate authority in regard to contested claims arising in such State, subject to review by the Administrator.

#### CHAPTER XII—DECISIONS AND PROCEDURES

Sec. 1200. The authority to issue subpoenas and provisions for invoking aid of the courts of the United States in case of disobedience thereto, to make investigations, and to administer oaths, as contained in title III of the act of June 29, 1936 (49 Stat. 2033-34; U. S. C., title 38, secs. 131-133), shall be applicable in the administration of this title.

#### CHAPTER XIII—PENALTIES

Sec. 1300. Any claimant who knowingly accepts an allowance to which he is not entitled shall be ineligible to receive any further allowance under this title.

Sec. 1301. (a) Whoever, for the purpose of causing an increase in any allowance authorized under this title, or for the purpose of causing any allowance to be paid where none is authorized under this title, shall make or cause to be made any false statement or rep-

resentation as to any wages paid or received, or whoever makes or causes to be made any false statement of a material fact in any claim for any allowance under this title, or whoever makes or causes to be made any false statement, representation, affidavit, or document in connection with such claim, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than 1 year, or both.

(b) Whoever shall obtain or receive any money, check, or allowance under this title, without being entitled thereto and with intent to defraud the United States, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than 1 year, or both.

#### CHAPTER XIV—DEFINITIONS

Sec. 1400. As used in this title—

(a) The term "week" means such period or periods of 7 consecutive calendar days as may be prescribed in regulations by the Administrator.

(b) The term "United States" used geographically means the several States, the District of Columbia, Alaska, Hawaii, and Puerto Rico.

(c) The term "State" includes the District of Columbia, Alaska, Hawaii, and Puerto Rico.

(d) The term "wages" means all remuneration for services from whatever sources, including commissions and bonuses and the cash value of all remuneration in any medium other than cash.

#### TITLE VI

#### CHAPTER XV—GENERAL ADMINISTRATIVE AND PENAL PROVISIONS

Sec. 1500. Except as otherwise provided in this act, the administrative, definitive, and penal provisions under Public Law No. 2, Seventy-third Congress, as amended, and the provisions of Public Law No. 262, Seventy-fourth Congress, as amended (38 U. S. C. 450, 451, 454a, and 456a), shall be for application under this act.

Sec. 1501. Except as otherwise specified the appropriations for the Veterans' Administration are hereby made available for expenditures necessary to carry out the provisions of this act, and there is hereby authorized to be appropriated such additional amounts as may be necessary to accomplish the purposes of this act.

Sec. 1502. Wherever used in this act, unless the context otherwise requires, the singular includes the plural, the masculine includes the feminine, and the term "Administrator" means the Administrator of Veterans' Affairs.

Sec. 1503. A discharge or release from active service under honorable conditions shall be a prerequisite to entitlement to veterans' benefits provided by this act or Public Law No. 2, Seventy-third Congress, as amended: *Provided*, That, except as to a person dishonorably discharged, benefits to which a person would be entitled but for a discharge under other than honorable conditions shall not be denied if his service was otherwise meritorious, honest, and faithful.

Sec. 1504. The Administrator shall transmit to the Congress annually a report of operations under this act. If the Senate or the House of Representatives is not in session, such reports shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be.

Sec. 1505. In the event there shall hereafter be authorized any allowance in the nature of adjusted compensation, any benefits received by, or paid for, any veteran under this act shall be charged against and deducted from such adjusted compensation; and in the event a veteran has obtained a loan under the terms of this act, the agency disbursing such adjusted compensation shall first pay the unpaid balance and accrued interest due on such loan to the holder of the



evidence of such indebtedness to the extent that the amount of adjusted compensation which may be payable will permit.

Mr. RANKIN. Mr. Chairman, it is understood that general debate is to continue not to exceed 2 days, and to be equally divided between me and the ranking minority member of the Committee on World War Veterans' Legislation.

The CHAIRMAN. The rule so states.

Mr. RANKIN. Mr. Chairman, I yield myself 20 minutes.

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Georgia.

Mr. PACE. In view of the announcement just made by the chairman, can he advise the House as to when the bill will be read for amendment and when the final vote will come?

Mr. RANKIN. I may say to the gentleman from Georgia that we will not reach a final vote on the bill before next week. My offhand opinion is that it will be Wednesday or Thursday, but I would not like to say definitely until we proceed further.

Mr. PACE. The gentleman means that the bill will be under continuous consideration until next Wednesday or Thursday?

Mr. RANKIN. I understand that the House will not be in session on Saturday. Therefore, we shall probably not complete general debate this week. I believe that Monday is District of Columbia Day. On Tuesday there are several primary elections which Members of the House and probably some members of the committee would like to attend. So it is my intention at the proper time to ask unanimous consent that we skip over Tuesday in order to enable these Members to attend their primaries.

Mr. PACE. The gentleman feels certain the bill will not be read for amendment or voted on this week?

Mr. RANKIN. I am certain of that, and I think I am almost as certain that it will not be voted on or read for amendment before Wednesday.

Mr. Chairman, this bill, originated in the Senate, has been the subject of a great deal of controversy, a great deal of propaganda, and a great deal of unjust criticism inspired by certain interests that seemed to be more interested in putting over their program than they were in looking after the welfare of the veterans of this war.

When this measure came to the Committee on World War Veterans' Legislation, of which I am chairman, I announced that we were not going to be stampeded. The committee held ample hearings on the bill, then went into executive session and held executive sessions on it for more than 2 weeks. We worked out a measure that we do not contend is perfect, but I certainly can say that we gave it a great deal more attention than was given it at the other end of the Capitol, where it was passed in 40 minutes in the closing days of a tiresome session.

A great deal of this criticism has been directed at me as chairman of the committee. I have been a member of the Committee on World War Veterans' Leg-

islation ever since it was organized, and have been chairman of it for more than 12 years. My pole star has been the welfare of the veterans themselves and the welfare of the country.

We refuse to be stampeded, excited, or dominated by any outside influences that undertook to tell the Congress what to do. You are flooded now with telegrams from all over the country, telling you how to vote on this bill. Not one man out of a thousand who signed those telegrams ever saw a copy of it. Is that intelligent legislation?

On yesterday petitions alleged to have a million signatures on them were brought in here by the truckload and presented with reference to this legislation. We are unable to tell now whether they are in favor of the Senate bill as it came from the Senate or whether they want this measure passed as it was reported by the House committee.

The truth of the business is that not one person out of a hundred who signed those petitions ever saw this bill, not one out of a thousand ever read it, and probably not one out of ten thousand really understood it and understood what changes the House committee has made.

You can get up a petition in this country now for almost anything. That has always been the case. I remember many years ago in one of the towns of the district I represent one fellow offered to bet that he could get a petition signed to hang the best man in town. They had a little difficulty in deciding just who was the best man in town, but they finally agreed on one man who they thought surpassed probably any other man in town from the standpoint of moral, intellectual, and spiritual qualifications. They wrote their petition with a great many "whereases" and "wherefores" and "resolves," and camouflaged away down in the middle its real purpose, to hang this man. They got out and circulated that petition, and practically every person to whom they presented it signed it, and the man who was to be hanged signed it himself. That is just how silly the Congress makes itself when it undertakes to legislate by telegrams and by petition and by resolution coming from people who do not know what is in the legislation.

I have gone through a great many battles on veterans' legislation; I was here when the first adjusted compensation law was passed after the last war. I went through the 17-year battle which it took to get that paid. In 1929, I undertook to raise the presumptive period for World War veterans to 1930. We went through that battle, and I want to pause here to pay my tribute to the American Legion of Pennsylvania because, at that time, it had as its commander, a very splendid young man by the name of Frank Pinola, who lived, I believe, at Wilkes-Barre. That department of the American Legion backed that bill and we put it through the House by a vote of 324 to 49, and through the Senate by 66 to 6, or exactly 11 to 1. Yet I was told that some of the brass hats in the American Legion at that time undertook to punish Mr. Pinola and the Pennsylvania department, for that action.

The measure was vetoed. The veto was sustained by a few votes and then the disability-allowance bill was brought in and passed under a suspension of the rule, without any opportunity to amend and with little opportunity for debate. In a short time clamor came for an economy bill. You know the history of that proposition. In 1933 one of the first bills to pass here was the economy bill. That took away not only some of the benefits under the disability allowance act but it took away some of the benefits of those tuberculosis, cancer, and paralysis victims who were dying in the hospitals of the country. It took away the benefits of a great many men who were suffering from total and permanent disabilities which they had not been able to prove were service-connected. Those boys died and their widows and orphans got nothing. As I said the other day, many of them have dragged their children through the depression; they are widows of men, in my opinion, who contracted their disabilities on the battle fronts, if you please, in the trenches and on the firing line, but who waited too long to make application, or did not know of their physical condition until it was too late, and their widows and orphans were denied any compensation at all unless it could be shown that it was a service-connected disability. Some of those children are now fighting and dying on every battle front on which we are engaged. I opposed the so-called economy bill for that reason and begged that the veterans be left out, at least the ones who were suffering so violently and whose disabilities I felt confident should have been service-connected.

Mr. ROWE. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. ROWE. I was wondering if the gentleman, as chairman of the Committee on World War Veterans' Legislation, had offered any invitation to any of these signers of the telegrams or petitions to persuade not only the Members of this Congress but the committee what they should do on this legislation to appear while they were conducting hearings; and if that was done, what was the result?

Mr. RANKIN. No; I would not send out an invitation of that kind, because we have so many hundreds of people who want to come in here and tell the committees of Congress what to do that if we were to broadcast an invitation of that kind and then carry it out, we never would get time to consider the legislation.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Kentucky.

Mr. MAY. Mr. Chairman, I just want to observe that the Economy Act about which the gentleman spoke, was the second bill that came before that Congress and it did not even have a number on it, but merely carried the title "A Bill To Maintain the Credit of the United States."

Mr. RANKIN. That is right.

Our first duty is to the disabled veteran, to the maimed and the blind, and

the wounded and the tubercular, and the other disabled who come out of this war. I want to say to you now, regardless of all the propaganda, regardless of what any brass hats—temporary brass hats, if you please—may attempt to tell me, regardless of all the attacks made on the Committee on World War Veterans' Legislation by flannel-mouthed politicians over the country, I am going to continue my fight to see that the disabled men are taken care of first.

This measure came to the committee and it was decided that there were some provisions that would need alterations. For that reason we went into executive session and worked for more than 2 weeks to that end. I want to say to you now that there was no politics in that committee. It is a rather cheap politician who attempts to make political capital out of the physical sufferings of the men who fight the battles of the Nation. The committee wrote this bill. The chairman of that committee did not attempt to dominate, and if he had, he could not have done so. We left every provision of this bill open for the committee to discuss and amend as they saw fit and they have done a remarkably good job with an awfully bad bill to start with. Someone has asked me in the last few minutes what this bill is going to cost. I have tried to find out and I just now got the information, signed May 11, 1944, in a letter which I am going to read to you because it is the only way to get the entire letter into the RECORD. It is from the Veterans' Administration and reads as follows:

VETERANS' ADMINISTRATION,  
Washington, May 11, 1944.

HON. JOHN E. RANKIN,  
Chairman, Committee on World  
War Veterans' Legislation,  
House of Representatives,  
Washington, D. C.

MY DEAR MR. RANKIN: Responding to your oral request for an estimate on the bill S. 1767 as reported by the Committee on World War Veterans' Legislation May 5, 1944, I desire, first of all, to express a word of caution to the effect that all estimates will depend upon so many at present undeterminable factors that they may be subject to variations either upward or downward. The present unknown factors which will have a determinative effect on the ultimate cost will include, among others, the following:

1. The total number of persons serving in the armed forces during the war period;
2. The length of the war;
3. The future character of the war and rate of discharges; and
4. The post-war economic situation with special reference to opportunities for employment. To the extent that returning veterans can promptly reenter industrial and other pursuits whether employed by self or others, the potential cost will be reduced.

While benefits (other than those of title III) are made available immediately after passage of this act, there will be little cost until after the end of the war, as employment conditions are favorable. Contingent upon the above, the cost may be estimated for each unit of 1,000,000 men in the service—the total may be approximated by multiplication by the estimated number of such units. The estimates are not given by calendar or fiscal years, as potential benefits—limited to specific extent—may be taken over a period of years not extending beyond 7 years after the end of the war. On this basis the estimate will be given for each title of the bill.

#### TITLE I

##### HOSPITALIZATION, CLAIMS, AND PROCEDURES

It is not believed that this title will result in any increased expenditures either for benefits or administration which will not be offset by the authority contained in sections 101 and 102 for the transfer of facilities and supplies without reimbursement of appropriations.

#### TITLE II

##### EDUCATION OF VETERANS

The average cost per person per year is approximately \$1,000. Assuming that there may be as much as 20 percent unemployment among returning veterans and that one-half of those unemployed will be eligible for and will seek education or training, it is estimated that the cost (including all expenses and maintenance allowance) for the first year of education or training for the resulting 100,000 per unit of 1,000,000 would approximate \$100,000,000.

Dependent upon the length of service, and consequent entitlement to additional training, it may be estimated that recurrent expense not exceeding 3 years will approximate annually one-half of that amount for the first year of training or a total of \$150,000,000 making a total of \$250,000,000 per unit of 1,000,000 men in service.

##### ADMINISTRATIVE COST

During the period of the war, there will be no additional administrative cost inasmuch as the responsibilities under this title may be absorbed by the present vocational education machinery of the Veterans' Administration. In the post-war period there will be required additional employees, but the expense will be minimal. This title, as reported by the committee of which you are chairman, does not require the set-up of any additional machinery, either Federal or State, and due to the simple method of administration authorized, the administrative expense will not be material for the entire period.<sup>1</sup>

#### TITLE III

##### LOANS FOR VETERANS

##### Cost of benefits provided

This title provides for the paying out of no Government funds except by way of guaranty not to exceed 50 percent of a loan or loans, and in no event in an aggregate of more than \$1,500 per veteran. It seems obvious that failure to repay loans will be contingent in part upon post-war economic conditions. Assuming that loans would be applied for in the maximum amount by 50 percent of the eligible veterans and that 10 percent of the amounts guaranteed would be uncollectible, the cost per unit of 1,000,000 men would approximate \$75,000,000.

NOTE.—This would be extended over a period of more than 20 years.

##### INTEREST

Interest on guaranteed loan or loans is to be paid by the Administrator out of available appropriations at an estimated cost of approximately \$45,000,000 (interest 1 year only.)

##### ADMINISTRATIVE COST

There would be no additional administrative cost until after the end of the war.<sup>1</sup>

#### TITLE IV

##### EMPLOYMENT OF VETERANS

##### Cost of benefits provided

No additional money benefits are specified in this title.

##### Administrative cost

There should be no additional administrative expense occasioned by the discharge of this function by the Veterans' Administration which would not be incurred by the discharge of such functions through the United States Employment Service or the

War Manpower Commission. Careful administration and cooperation will, of course, be necessary to prevent duplication, but ample authority is provided to insure such cooperation.

#### TITLE V

##### READJUSTMENT ALLOWANCES

The maximum benefit per person is \$520. On the same assumption stated with respect to title II, namely that 200,000 out of each unit of 1,000,000 men in service may be unemployed, that 50 percent would elect education or training and assuming that the remaining 50 percent or 100,000 would be entitled to the maximum benefits provided by this title, the total expense would approximate \$52,000,000 (including those eligible but self-employed).

This is not a recurring expenditure, as the period is limited to 26 weeks during a total period of 2 years. Provisions are made both in titles II and V to insure that there will be no duplication of benefits.

##### ADMINISTRATIVE COST

Additional Federal machinery required will be minimal, inasmuch as most of the functions may be discharged through employment machinery prescribed by title IV, but there will be additional expense of administration by cooperating State and Federal agencies.<sup>1</sup>

#### TITLE VI

##### GENERAL ADMINISTRATIVE PROVISIONS

This title, among other things, declares the intention of the Congress that in the event there should be in the future, legislation of the nature of an Adjusted Compensation or Adjusted Service Pay Act, expenditures made under this act to or for a veteran shall be a charge against such adjusted service pay, and that any outstanding loan guaranteed for a veteran shall be liquidated to the extent his adjusted service pay will permit.

##### SUMMARY

Total of the above estimated expenditures per unit of 1,000,000 persons in the service.....	\$434,000,000
Estimated total cost for 10,000,000.....	4,340,000,000
Estimated total cost for 15,000,000.....	6,510,000,000

Very truly yours,

FRANK T. HINES,  
Administrator.

If you will turn to title I, you will find that it covers the subject of hospitalization and also declares the Veterans' Administration to be an essential war agency and entitled, second only to the War and Navy Departments, to priorities in personnel, equipment, supplies, and material under any laws, Executive orders, and regulations pertaining to priorities, and in appointments of personnel from civil-service registers the Administrator of Veterans' Affairs is granted the same authority and discretion as the War and Navy Departments and the United States Public Health Service.

In that section there was a provision for the expenditure of \$500,000,000 for

<sup>1</sup> It is difficult to estimate administrative cost. Supervision under the bill is minimal, particularly as to title II—Education. However, based upon Veterans' Administration experience over the period of the last 5 years the ratio of general administrative cost to expenditures for all purposes is 3 percent. On this basis, and it should not be exceeded over the entire period, the cost per unit would be \$12,000,000.



hospital construction. We found that would have been a limitation, so that provision was stricken out and it just authorizes such appropriations as may be necessary.

Title II is the subject of education, about which you have heard so much discussion. The average cost, says General Hines, per person per year is approximately \$1,000. Assuming that there may be as much as 20 percent of unemployment among returning veterans and that half of those unemployed will be eligible for and will seek educational training it is estimated that the cost, including all expenses and maintenance allowance for the first year of educational training for the resulting 100,000 per unit of 1,000,000 would approximate \$100,000,000. That is for the first year.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. I yield myself 20 additional minutes.

Dependent upon length of service and consequent entitlement to additional training, it may be estimated that recurring expense, not exceeding 3 years, will approximate annually one-half of that amount for the first year of training, or a total of \$150,000,000; making a total of \$250,000,000 per unit of 1,000,000 men in service.

Mr. MASON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MASON. That means per unit of 1,000,000 men?

Mr. RANKIN. Yes.

Mr. MASON. And we must multiply by six or seven or whatever the number of units to get the total?

Mr. RANKIN. I think you could safely multiply by 10. That is more easily handled than any other figure you have mentioned, so that would be \$2,500,000,000.

Mr. PACE. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. PACE. Does not the gentleman think you should more safely multiply that by 15, inasmuch as there are over 10,000,000 men in the service now, and there already have been 1,000,000 discharged?

Mr. RANKIN. Probably so. It might be best to split the difference and multiply it by 12. That would be \$3,000,000,000.

While we are talking about education I want to remind the Members of this fact: We are getting all kinds of telegrams and messages to appropriate money for this, that, and the other, back in the States. Every State in this Union is better off financially today than the Federal Government. Every county in America is better off, proportionately, financially than the Federal Government. Every municipality is better off than the Federal Government. Every township is better off financially, proportionately, than the Federal Government. So it seems to me that the Federal Government ought to assume only those responsibilities that are necessary and incumbent upon it, because I want to tell you one of the dangers, as I see it in the future, is the probable bankrupt state of the Federal Treasury.

If the Federal Government had been as badly in debt proportionately when the Union was formed as it is today, the Union would never have been formed. There would have been no United States of America, as you and I know it. I am satisfied of that. This Capitol was placed where it is as a result of a compromise between Thomas Jefferson and Alexander Hamilton, with the understanding that the Federal Government would assume certain indebtedness incurred by the various Colonies.

I say to you—I might as well say this at this time—I am apprehensive that unless this Congress—and I am talking to you gentlemen now—in your hands rest the hope of the perpetuity of our form of government and our way of life, you Members of the House of Representatives of the Congress of the United States. It has been with the consciousness of that responsibility that I have fought through this measure and other measures that have excited the public mind, and especially the minds of Members of the House in the last few months.

Suppose there should come a time in the future, after this war is over and we return to a peaceful state, and certain sections of the country were to say, "We are not going to pay this vast amount of indebtedness." That happened one time. You talk about our secession. The first resolution of secession ever passed in this country was at the Hartford Convention in 1814, during the second war with Great Britain. Delegates from that convention were on their way to Washington with the resolution when they found out the war was over. Suppose that position should be taken later. Suppose those great States to the northeast, from here to Maine, should say, "Well, we are wealthy States. Why should we assume such a stupendous part of this burden? We will go our way."

You know the Civil War did not settle the question of the right of secession. It only settled the power. It only settled the question as to whether or not any section of the country at that time had the power to secede. Suppose that sentiment were to spread abroad, and the people of the great Middle West would say, "Well, we feed and clothe you. If that is your attitude, then we might as well go our way." Then suppose the Pacific Coast States took the same attitude. It would only be a small matter for us to drag out the old Confederate flag and say, "Well, if that is your game, we know how to play it."

That is one of the dangers that I see ahead.

I tell you we have no right to spend money for these boys to pay back when they come home unless it is absolutely necessary. For that reason, we worked and toiled to bring this bill down within the bounds of reason. Bear in mind our first obligation is to the wounded, maimed, the blind, the disabled, the tubercular, the cancerous, and the victims of paralysis, and the other disabled victims of this conflict.

I am not going into the educational feature at this time. It is going to be debated very extensively on this floor.

We are going to permit all the debate that is necessary.

We are in favor of maintaining the rights of the States and keeping as many bureaucrats' fingers out of it as we possibly can. In other words, we are legislating for the benefit of the veterans, and not to extend a sprawling bureaucracy over the Nation. But back to this title II: General Hines speaks of the administrative costs, but does not state exactly what they will be. We propose to permit the veteran to select his own school and to make it possible for him to go there, especially the ones who return disabled or the ones whose schooling has been interfered with.

Title III has to do with the subject of loans for the purchase and construction of homes, farms, business, and so forth.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I want to make this observation: I have been somewhat disturbed by the large number of telegrams which I have received along with other Members of Congress coming from educators and educational groups throughout the country with respect to the educational features of this bill. I wonder if the gentleman does not believe those fears expressed on the part of the educators and the Conference of State Governors arises out of the fact that perhaps they have been sent, or consideration, the wrong bill and have not considered the provisions that are in the bill which is now here pending which goes as far as any bill can go to protect State sovereignty in the matter of education, which we are all concerned about.

Mr. RANKIN. I think the gentleman from Wisconsin is entirely correct.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Releases that have come to certain members of the committee show that this person who sent the releases had not considered the new bill which had not been reported out at that time.

Mr. KEEFE. They were considering the old bill, as I understand.

Mrs. ROGERS of Massachusetts. The Senate bill.

Mr. KEEFE. They considered the Senate bill. If they had considered the provisions of the pending bill, I doubt if they would have made the objections they did.

Mr. RANKIN. I do not think they would.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I was told this morning by a gentleman who is not a member of the House but who is familiar with the bill and who lives out in one of the Western States, I believe, that his Governor told him that title II of this bill was bad and the Governor wanted it out. He asked the Governor if he had read it. The Governor said: "Yes; I have." This gentleman asked him: "Let

us see what you have"; and the Governor pulled out the other bill. The gentleman then said: "Wait a minute; you do not have the House bill. Let me read you the provisions of the House-committee bill." He did, and the Governor said: "All right; if that is the way it is, it is all right."

Mr. RANKIN. Yes. It reminds me of a story. A man woke up the morning after with a hang-over, grabbed for a mirror, and got the hair brush, looked at it, and called for a barber. He thought he had looked in a mirror. They have not even seen the House bill. Amendments will be offered to this title; it will be modified, but as it stands it is entirely different from the provisions of the Senate bill.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CUNNINGHAM. In connection with what was just brought up by the gentleman from Wisconsin it should be pointed out to the membership that these communications are based upon information received from the Senate bill and not the House bill, and here is the proof: The gentleman from Mississippi will recall that late in the afternoon of May 4 our committee voted to report this bill out, the report itself being made the next day and is dated May 5. The bill was not ready until May 5 or later for anyone to read. The members of the committee did not know themselves how the bill was going to be written or what was to be in it exactly until the evening of May 4; yet I hold in my hand a communication from the American Council on Education which has a statement at the top of it "For release May 5, 1944." It must therefore have been prepared prior to May 5, because it was prepared to be released in the future—for release May 5. This release talks about the Rankin bill, yet they could not have seen it because it was not printed and had not been reported by the committee at the time the American Council on Education sent this announcement.

Mr. RANKIN. And no one could have known what was going to be in it.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. BARDEN. I think enough has been said about the ignorance of our Governors. Our State Governors do not usually go off half-cocked. Another thing, I have had some correspondence from Governors who have wired me to send copies of the bill. I have sent copies of both bills as I was very much on the alert to get my bill reported, brought out, and furnished to them.

I want to inform the gentleman that the contents of the bill now under discussion were a matter of common knowledge long before this bill was ever reported out. Protests have come to me and the reason I wanted to send official copies was to know that I was right. Now, I have not promulgated any of the gentleman's propaganda, so far as that is concerned, and I am making no defense for any that has been submitted, but I say that the telegrams that I am

receiving clearly state the objection that exist to the bill now under consideration. If the gentleman will wait a few minutes I think I can make that very clear.

Mr. RANKIN. The contents of the committee bill could not have been a matter of common knowledge, because the members of the committee themselves did not know what all the provisions of the bill would be until we reported it out.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. JUDD. I think what the gentleman from Iowa [Mr. CUNNINGHAM] said is true in a good many cases, but there are other cases where it is not. I secured copies of the Veterans' Committee bill last Saturday, May 6, and mailed them to the interested educational authorities in my State in response to their requests, and since then I have received telegrams, some of which I inserted in the Appendix of the RECORD of yesterday, May 10. They oppose this bill as it has been reported out.

Mr. RANKIN. The gentleman understands, of course, that most of the messages I referred to, as a rule, came from organizations outside of the educational field.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MILLER of Connecticut. Insofar as the reference made by the gentleman from Iowa is concerned, I know of my own knowledge because my own brother was a participant in the conference from which that resolution came. They had before them the bill as it passed the Senate and had no knowledge of the changes made by the House. Later, after the conference adjourned, three of the members of the conference were at my home and had no knowledge of the provisions of this bill. What they had before them was the Senate bill.

Mr. BARDEN. Mr. Chairman will the gentleman yield for one observation?

Mr. RANKIN. I yield.

Mr. BARDEN. I think the gentleman is going too far with these Governors.

Mr. RANKIN. The Governors are not on trial; the gentleman from North Carolina is trying the Governors.

Mr. BARDEN. Certainly the Governors are not on trial.

Mr. RANKIN. We are not trying the Governors.

Mr. BARDEN. I want to read a telegram I have received from a committee of Governors. It makes no particular reference to any particular bill:

While we are in entire sympathy with the Rankin omnibus bill and we are in accord with its general provisions, we hope that title II providing educational opportunities for veterans will be amended so as to make it clearly mandatory to preserve to the States, and educational institutions approved by the States, control of the actual education of our veterans. We ask this because we believe the most fundamental basis of our American way of life is local control of our education facilities. We urge also that provision be made in the Rankin bill to pay fair tuitions to publicly supported institutions as well as private as is approved in title II, part 7, section 7 of the Clark bill.

This is signed by the executive committee of the Governors' Conference: Leverett Saltonstall, Massachusetts, chairman; John W. Bricker, Ohio; J. Melville Broughton, North Carolina; Dwight H. Green, Illinois; Dwight Griswold, Nebraska; Spessard L. Holland, Florida; Herbert B. Maw, Utah; Herbert R. O'Connor, Maryland; and Earl Warren, California.

There is nothing in that that is not straight Americanism.

Mr. RANKIN. There is the observation, though, that the most alert, effective, and valuable men on this floor do not all come from governorships; and the same thing might be true also in the other body.

The average Member of this House, and especially the members of these committees, knows just as much about this legislation as one of the Governors. Now, I take it to be my duty as a Member of the Congress to vote and legislate as I think the majority of the intelligent people I represent would want me to do if they were here and knew as much about the legislation as I do. The members of this committee know just as much about this proposition as the Governors do. They have gone through it just as thoroughly and they are just as patriotic and just as interested in the people in their States. Let me say again, Mr. Chairman, that I have never served on a committee of finer men and women than the ones who now constitute the Committee on World War Veterans' Legislation. There were no Democrats, there were no Republicans, but when it came to working for the best interests of the veterans they were all Americans, trying to work out, as I said, a proper solution of a very, very difficult problem.

Mr. CLASON. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Massachusetts.

Mr. CLASON. I wish to refer to page 53 and to the question of determining what schools, public or private, shall be used by the veterans.

Mr. RANKIN. What line?

Mr. CLASON. In paragraph 2 at the bottom of page 53 there is a provision that the veteran can pick out any institution he wishes, subject to two provisions. The second provision is that the Administrator from time to time shall secure from the appropriate agency of each State a list of all schools or institutions, then it says, "and such additional public or private schools or institutions as may be recognized by the Administrator."

Mr. RANKIN. That is right.

Mr. CLASON. As I understand it, the Federal Government through the Veterans' Administration, will be able to determine what schools shall be recognized.

Mr. RANKIN. That is right. In the first place, he must recognize all schools that are recommended by the educational authorities of the various States. They must be recognized. Now go on from there.

Mr. CLASON. Then he can add to that list any other schools that he sees fit to add to it?



Mr. RANKIN. Provided it is a school that one of these students wants to go to and the school will accept him.

Mr. CLASON. It says, "and such additional public or private schools or institutions as may be recognized by the Administrator."

Mr. RANKIN. Yes.

Mr. CLASON. Assume that a veteran wishes to take some sort of a course and neither the State group of schools nor the Administrator group provides a school where he can obtain the particular education that he wants. Do I understand that he cannot take that course then?

Mr. RANKIN. If there is another school that does provide it and he wants to go there, the Administrator of Veterans' Affairs has a right to recognize it for that purpose.

Mr. CLASON. Is he limited to the State in which he resides?

Mr. RANKIN. No.

Mr. CLASON. He can go anywhere he wants to within the country?

Mr. RANKIN. That is right.

Mr. CLASON. This would give him practically every institution that has any recognized standing in any State plus some additional ones that the Administrator puts in?

Mr. RANKIN. General Hines came before the committee and discussed this matter and we decided there were a great many men who wanted special training.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RANKIN. Mr. Chairman, I yield myself 20 additional minutes.

And that there might be some school, and I think I could name some schools, that would not be in this accredited list. If a boy wanted to go there to learn how to paint houses, if he wanted to go there to learn how to repair automobiles, if he wanted to go there to learn how to raise chickens or if he wanted to go there to learn any other trade or any other special line of work, we did not think it was right to shut him out and say: "You have to go to Harvard, Yale, or to the University of Mississippi, the University of Alabama, or the University of Iowa." In other words, not all of these men in the Army are high-school graduates. Many of the best soldiers we have ever had never saw a high school, but when they come back home many of them are going to want a training in some particular trade in order to make a living. We went just as far as we could to make that possible. For the life of me, I cannot see the criticism of that provision.

Mr. CLASON. Then there is this other proposition. These large schools that the gentleman just mentioned, such as Harvard, and its school of business education, and the Massachusetts Institute of Technology, charge tuition fees which cover books and other expenses, such as laboratory, amounting to over \$500. As I understand it, the fee of M. I. T. is \$600. If the limitation is \$500, we are barring these veterans from some of the very best institutions. How would you make up that difference?

Mr. RANKIN. I may say to the gentleman from Massachusetts that if we provide this amount we have done a very good job. A man who is prepared to go to an institution of that kind can probably render himself some aid.

Mr. CLASON. Would he be permitted to use his own resources in addition to that sum?

Mr. RANKIN. Yes.

Mr. CLASON. This will be \$500 to be applied?

Mr. RANKIN. That is right.

Mr. MCGREGOR. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Ohio.

Mr. MCGREGOR. Referring to page 54, where it is stated "which schools and institutions, and such additional public or private schools or institutions as may be recognized by the Administrator." Does that mean that before my boy, when he comes out of the Army, can enter a school, although that school is recognized by the department of education in Ohio, it must get recognition from the Administrator before the boy can go there?

Mr. RANKIN. No. He has to recognize any school that the educational authorities of the State recommend.

Mr. MCGREGOR. If my State recommends a school in the State of Ohio, the Administrator must recognize it and allow him to go there?

Mr. RANKIN. Yes; that is right.

Mr. PACE. Will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Georgia.

Mr. PACE. The gentleman made a statement a moment ago about a boy in the service who has never seen a high school. I am particularly interested in that type of boy, with particular reference to the farm boys. I had a time reconciling it with the language in the bill.

Mr. RANKIN. Whereabouts?

Mr. PACE. Page 52, line 22. It states that his education must have been impeded, delayed, interrupted, or interfered with.

Mr. RANKIN. Yes. Education begins, you know, with the primer, with the A B C's.

Mr. PACE. I would like to state this case and get the benefit of the gentleman's opinion. We have a farm boy who due to family conditions has left school at 16, and on the day he volunteered or was inducted he was on the farm working. He was not attending school. Naturally he would like to have an education, but the opportunity never presented itself; in fact, he was farming and had abandoned, we might say, the idea of more education. Can we reach into this language and say that this boy would be covered when in a way his education was not delayed because he was not going to get any more?

Mr. RANKIN. Yes. That was discussed in the committee, and we decided he would be covered. A case of that kind would be covered by this bill.

Mr. PACE. Under what particular language in the bill? I am very much interested in it. I hope it is authorized.

Mr. RANKIN. Well, any person is eligible under this act and shall be entitled to financial assistance to enable him to undertake and pursue such a course of training as may be elected by him.

Mr. PACE. I think this is important, and I hope the gentleman will pardon me. It seems to me under the language of the section there that there are only two cases in which a boy could get an education. One is where he needed a refresher course, where he had already got an education before he went into the service, and the other is where his entering the service had delayed or impeded his education. It just struck me that that plain English meant that if a boy had left school to work on a farm or to work in a factory, and he had been doing that for months or for a year or 2, then went into the service, the Administrator could say, "Well, John, your education was not delayed. You quit school."

Mr. RANKIN. How could he say it was not delayed? Every boy who quits and goes to work does not abandon his education. It does not mean that he is through trying to educate himself. How can he say that?

Mr. PACE. Let me ask the gentleman why did he put this language in here then?

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. RANKIN. When I get through with this gentleman.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. KEARNEY. I would like to ask the distinguished gentleman from Mississippi this question. I believe I follow the gentleman from Georgia's thought in the case of a boy who had, we will say, completed school, but had no funds with which to continue a college career.

Mr. PACE. Let us say he stopped high school at the eighth grade and went to work on a farm or in a factory.

Mr. KEARNEY. He went to work, and then in his own mind intended later on, when he had secured funds, to obtain additional education. I think under this particular section of the bill that man is covered.

Mr. RANKIN. Of course, that is why the word "delayed" is put in there, because if it did not apply to men like that, why the word "delayed" would not have been necessary.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. It seems to me it would be better to write a few words into that section to cover the gentleman's idea, because I agree with him it is very important.

Mr. RANKIN. If there is any language that can make it any stronger than it is, we will certainly be glad to hear it when we come under the 5-minute rule. I am glad to know the interest manifested in this debate. I hope you will all stay here.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I just want to say to the gentleman from Georgia that the committee discussed this thoroughly, and we thought that would cover almost any contingency that might arise. If the gentleman does not think it is broad enough I, for one, would be glad to know. We want every man included that should be included.

Mr. PACE. Who wants education.

Mr. ALLEN of Louisiana. That is what we intended to do.

Mr. PACE. Let us write it that way.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Illinois.

Mr. BUSBEY. I would like to say to the gentleman from Georgia, who raised that question, that I took a great deal of the committee's time talking about that very same thing, and I took the attitude that society, as a whole, probably might be benefited more by a boy going back to the fourth grade in school in preference to second or third year in college, and this language was put into the bill this way so that it would take care of that particular boy.

I will also say to the gentleman from Georgia that if he can find any language that would make it stronger to meet that situation, I believe the committee would be very glad to receive it.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I would like to get the gentleman's opinion on this question. The section under consideration on page 74 refers to "all schools or institutions equipped to supply education or training within such jurisdiction."

I am especially interested in the subject of apprenticeship training. Was the question of the inclusion of apprenticeship training, within the provisions of this section, discussed in the committee?

Mr. RANKIN. Yes.

Mr. KEEFE. Am I to conclude that the language under this section is broad enough to include coverage of an individual who elects to sign a contract of indenture in a plant, where he may receive training within a plant, in industry, under an approved apprenticeship-training program?

Mr. BUSBEY. I might say to the gentleman from Wisconsin, that was another one of my pets in the committee. This bill was drawn purposely so that it would take care of apprenticeship training and so that any of these veterans could go into any industry and take an apprenticeship course for which he was receiving a very small pay while he was working at this apprenticeship. That is covered under the unemployment section.

Mr. RANKIN. That is exactly the question I raised. That is taken care of by the provision referred to by the gentleman from Massachusetts [Mr. CLASON]. The Veterans' Administration

is given the right to recognize such institutions.

Mr. KEEFE. I just wanted the record of the discussion to make that point clear so that there would be no question about it.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Minnesota.

Mr. JUDD. Mr. Chairman, on the issue of eligibility, is it not better not to have all this language which is going to require the Veterans' Administration here in Washington to go into the personal history of every one of these three or four million boys to determine in each case whether education or training has been impeded, delayed, or interfered with?

Mr. RANKIN. Does the gentleman not think we had better discuss that under the 5-minute rule and let me proceed with the discussion?

Mr. JUDD. Would it not be better just to say as we do in the Barden bill, "any person who served 6 months or more"—or 90 days if the Committee prefers—"in the active military and naval forces of the United States," and so forth, and thus make it available to every honorably discharged man if he wants it, partly as a reward to him and partly as an investment of the United States in better citizenship? If a boy has had educational training in the Army and subsequently desires to get education he did not previously have, should we not give him this opportunity? I would like to strike the whole limitation out and make the educational benefits available to every man who wishes them and who has the ability to qualify.

Mr. RANKIN. The gentleman's motion would not be in order at this time.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from New York.

Mr. COLE of New York. I should like to have the gentleman amplify the reason why the Veterans' Administration is given authority to designate a school which is not approved by the State authority.

Mr. RANKIN. I would like to give the gentleman one illustration.

Mr. COLE of New York. Then the gentleman does not think that the State educational authorities are in a better position to evaluate the quality of the institution within their jurisdiction than the Veterans' Administrator himself?

Mr. RANKIN. No; I do not say that.

Mr. COLE of New York. Then why should the Veterans' Administrator have that authority?

Mr. RANKIN. There might be some private schools that the public authorities would not want to recognize.

Mr. COLE of New York. Undoubtedly, for a reason.

Mr. RANKIN. For the reason, probably, that they are not patronized by the State.

Mrs. ROGERS of Massachusetts. It might be a matter of prejudice, also.

Mr. RANKIN. Certainly.

Mrs. ROGERS of Massachusetts. You could debar some excellent schools being

used by the veterans where the boys could obtain some special kind of education that they wanted to secure.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Ohio.

Mr. CUNNINGHAM. I just wanted to ask if it is not correct that the State agency, the State board of education, or the superintendent of education, or whatever the State agency is, can designate any school it wants to, or any number of schools.

Mr. RANKIN. That is right.

Mr. CUNNINGHAM. The only addition in the bill is that the Administrator can add to that list in that very same State, should he find schools like the one the gentleman refers to, or other schools that the State agency has not included. He cannot take from. He can only add to.

Mr. RANKIN. That is right, and recognize those schools that may be competitive, and for that reason excluded from the list by the State educational authority.

This is a States' rights bill, I will tell you, so far as education is concerned. Another thing, we have reduced bureaucracy to the almost irreducible minimum.

Mr. BUSBEY. Mr. Chairman, I would like to state to the gentleman from New York that one of the reasons I wanted that provision in was that back in Illinois I happen to know of one particular high school that was removed from the accredited list only because it did not receive some laboratory equipment that they thought should be in that laboratory, due to delay in the factory. It was taken off the accredited list, and that high school is just as good as any high school that is on the accredited list. When they got the equipment the next year, it was put back on the list. That is just one illustration.

Mr. RANKIN. Here is another reason that actuates me in supporting this provision, and that is the fear that some people get an exalted idea of what education is. They think more about education at the top than building from the bottom. A great many of these boys from my State would like to go back to the agricultural high school in their own community, or to the local public school. We want to be dead sure that if they want to, they are going to have that opportunity in every State in the Union. We did not take away any of the States' authority, but recognized it all.

Mr. CRAVENS. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Arkansas.

Mr. CRAVENS. Will the gentleman refer to page 53, line 17? It starts out by saying that a veteran may select the institution he wants to go to. That is followed by saying that there shall be eligible for giving this training, schools that are certified by the State educational authorities or which may be selected by the Veterans' Administration. Does that mean that those that are selected by the Veterans' Administration and by the State authorities are eligible and that some other institution which



the veteran may want to go to but which may not have been approved by the Administration or the State authorities is not eligible and he cannot go to that school?

Mr. RANKIN. That is right. It has to be recognized by one of them.

Mr. MILLER of Connecticut. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. I have two questions. One is, Do the words "refresher or retraining course" cover medical students who have completed their college course but have not served as interns? In other words, work in a hospital would be covered by the word "refresher"?

Mr. RANKIN. That is right.

Mr. MILLER of Connecticut. Does the gentleman know of any educational institution in this country that is required to report to the various State boards of education the progress made by their individual students, such as is required in the Barden bill for veterans? I cannot for the life of me see why the school should report to the State board of education on the progress veterans are making who are students in their schools, simply because the Federal Government is paying their tuition rather than their paying it out of their own pockets. I think it is unnecessary red tape, setting veterans apart from other students, and, to put it bluntly, certainly has nothing to do with the curriculum and should be no concern of the board of education.

Mr. RANKIN. The gentleman is not referring to this bill?

Mr. MILLER of Connecticut. I am referring to the so-called Barden substitute. I wish the chairman would comment on any reason for that, if he knows of any.

Mr. RANKIN. I am inclined to agree with the gentleman from Connecticut. I have not had the proposition put up to me in exactly that way.

Mr. BARDEN. Mr. Chairman, will the gentleman yield on that point?

Mr. RANKIN. I yield to the gentleman from North Carolina.

Mr. BARDEN. May I say to the gentleman from Connecticut that that is simply put in there to retain in the State's institutions the same rights and prerogatives that our educational institutions in the States have enjoyed for 150 years. In this bill it is written clearly, in plain language, that the Veterans' Administrator shall pass upon the progress and the conduct of the veteran. Who is in a better position to pass on the progress and conduct of a student in the University of Connecticut, the authorities in that university or the Veterans' Administrator in Washington?

Mr. MILLER of Connecticut. I cannot see why it is any concern of the State Board of Education of the State of Connecticut as to the progress John Smith is making in a private school within the State of Connecticut for which the Federal Government—not the State of Connecticut but the Federal Government—is paying the full tuition. Why does the State come into it at all?

The CHAIRMAN. The gentleman from Mississippi has consumed 1 hour.

Mr. RANKIN. Mr. Chairman, I ask unanimous consent to proceed for 20 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Let me say to the gentleman on that very point that what we were trying to hedge against was the creation of a group of students who ceased to try to learn anything. This small authority belongs in the hands of the Veterans' Administrator. We thought it was a safeguard, a proper safeguard, and I think so yet.

Mr. MILLER of Connecticut. May I say to the gentleman from Mississippi that the provisions of the educational section of this bill are so far superior to the old Vocational Training Act of 1918 that there is no comparison.

Mr. RANKIN. I thank the gentleman.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Kansas.

Mr. SCRIVNER. In the first place, what we are trying to do, as we all conceived the idea, was to put the veteran in as near as possible the place he would have been had it not been for his service. When it gets down to education, what we are actually doing is placing the Government in the place of the parents as far as the payment of the tuition and the subsistence is concerned. So the logical thing is, if it is the Federal Government which is paying the bill, it is the Federal Government that is concerned in the progress that is being made.

I can see merit to some objections that have been raised to this particular provision in that we might modify it to reassure these persons who are solicitous about the schools' determining the grades and the courses. I agree with them perfectly. That could be remedied in line 18 by placing after the words "which will accept" the words "and retain." In other words, the school could then say to the boy, "If you do not make the grades, we will not keep you in school," or "If your conduct is such as is improper for a student of this school to participate in, we will not keep you in school." That leaves it to the school, and that gets rid of one objection.

Then going down to line 23, that could very well be protected so that the Administrator will not have the power which some of you fear he might have, although that fear is unfounded, because this is substantially the same program that was carried out 25 years ago in the administration of the education of veterans under the rehabilitation program. In the vocational training program, each 60 days a representative of the veterans' office went to the school to check up on the progress of the student. You can smile, but I was one of the gentlemen who was fortunate enough to have that very thing done. If in the opinion of the school the grades were falling low enough, the field man would call the student in and say, "Listen, your grades

are dropping. They have to be picked up."

So, to keep that clear, so that there can be no misapprehension or misunderstanding, there can be inserted in line 23 after the word "veteran," where it refers to the progress of the veteran, the words "as shown by the records of the institution." That keeps it right back in the schools.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from North Carolina.

Mr. BARDEN. I should like to call the attention of the gentleman to the fact that the rehabilitation program after the last war cost approximately \$5,500 apiece.

Mr. SCRIVNER. Yes, but that included the \$100 maintenance; \$135 if the man was married.

Mr. BARDEN. The gentleman said he was trying to put the Veterans' Administration in the position of the parents. I have been "papa-ed" long enough by departments in Washington. When you talk about sending inspectors around to inspect the college records and to see whether or not this man is making progress, what kind of confusion do you think you would set up in the college?

Mr. SCRIVNER. There would not be any more than there was 25 years ago, when you had the same kind of inspection.

Mr. BARDEN. I am sorry, but that is certainly the thing we are trying to avoid.

Mr. SCRIVNER. Let us take this other picture. If the same ratio keeps up in this war as in the other, there will be almost 1,300,000 men eligible for vocational rehabilitation, which will be administered by the Veterans' Administration. Because it was successful 25 years ago, I feel that it will be administered in much the same way it was then, so those people would not be a bother to us. I was in a school where we had 315 of them, and I never heard a single, solitary complaint.

Mr. BARDEN. The gentleman knows that that was not a program of a size proportionate to the present program.

Mr. SCRIVNER. In that program there were 400,000 who made application and 300,000 who took the training.

Mr. BARDEN. The gentleman just admitted there would be more than 300,000.

Mr. SCRIVNER. That is right.

Mr. BARDEN. That will create a tremendous impact on the educational institutions.

Mr. SCRIVNER. The principle is exactly the same whether you are playing with dollars or dimes.

Mr. BARDEN. How many inspectors out of Washington does the gentleman think it will take to inspect the various institutions in my State?

Mr. SCRIVNER. I do not think it will take a great number at all, because in each State there will be a representative of the Veterans' Administration. It will not take any more people under the State set-up.

Mr. BARDEN. That is the very respect in which these bills differ.

Mr. RANKIN. Let me answer that. My opinion is that they would not have an inspector at all unless the authorities of the school called for one. When the authorities of the school notify the Veterans' Administration that the Government's money is being wasted on this man, then is the time for the inspector to go and check up.

May I say to the gentleman from North Carolina that I have worked with the Veterans' Administration a long time and worked with it when that program was in progress. They did a marvelous job. I am sure that under this bill you will not find the public imposed on by the Veterans' Administration.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Minnesota.

Mr. O'HARA. If the gentleman will answer this question, I think it is also important in connection with this school program that we protect the veteran from some who would racketeer upon this educational feature.

Mr. RANKIN. What is the question?

Mr. O'HARA. The question is, What protection is there particularly in the apprenticeship training of the Veterans' Bureau to protect the serviceman in the establishment of the record? Is there a system of instruction?

Mr. RANKIN. If the Veterans' Administration found that any institution which is not recommended by a State authority was racketeering, all it would have to do would be to withdraw its recognition. Of course, if it is a State school or a school that is recognized by the State and recommended by the State, there might be the combined, I will say, cooperation of the Veterans' Administration and the State authorities. But I cannot think of a State recognizing or recommending a school which would permit racketeering on these boys.

Mr. O'HARA. Just along the point which the gentleman brings up, suppose there is a difference of opinion between the State and the Veterans' Administrator as to whether that is a proper school, whose control is final?

Mr. RANKIN. The State, if the State recommends it.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. ROBSION of Kentucky. I have been very much interested in this bill. I was a member of the Committee on Education of the House in 1919, and I believe there is one other Member of the House who was present when legislation was brought out similar to this. I think this is an improvement over that bill. Experience has taught us many things. But it was of great service to the country and to the veterans. What I would like to inquire is in what part of this bill is there any provision to pass upon the eligibility of a veteran to take any particular course and the feasibility of his taking a certain course?

Mr. RANKIN. I will say to the gentleman from Kentucky that the eligibility of a man to take a course in a school is determined by the school itself. Suppose I should undertake to enter the

University of Mississippi or the State college, no matter who paid the bills, the college authorities would say whether or not I was eligible to enter. So that question would have to be decided by them. But then, if I was ineligible to go there, I might go over to the agricultural high school a few miles away, where I would probably be more eligible, and if I could not go there I might go back down to the primary school or the little community school where I came from and get in there. So the question of eligibility is left up to the school itself.

Mr. ROBSION of Kentucky. In administering the law after the other war with reference to the Vocational Rehabilitation Act, they had persons who interviewed and talked to the veteran to see whether it could be to his own best interest to take a course in agriculture or to take a course in law or to take a course in mechanics of some sort.

Mr. RANKIN. That is right.

Mr. ROBSION of Kentucky. Now, is there anything in this bill that would authorize such a procedure?

Mr. RANKIN. I think that matter would be left up to the student and the school that he entered. Then if he failed or that school, as I said a while ago, should call on the Veterans' Administration to send an inspector to come down and look into this man's record and they found that he was not doing any good there and that he was wasting his money, then that would have to be taken into consideration.

Mr. ROBSION of Kentucky. A lot of these boys who will apply for this training will be young fellows from 18 to 19 years of age and perhaps may not have the judgment to make the proper selection.

Mr. RANKIN. That is right. I will say, you are always going to have to take that chance and are always going to be confronted with that situation.

Mr. ROBSION of Kentucky. Did the gentleman say he worked for the Veterans' Bureau after the other war?

Mr. RANKIN. I said the Veterans' Administration.

Mr. ROBSION of Kentucky. The Veterans' Administration?

Mr. RANKIN. Yes. I was even here when the Veterans' Bureau was created. It was the Bureau of War Risk Insurance to begin with.

Mr. ROBSION of Kentucky. We passed that act, I believe, in 1919.

Mr. RANKIN. That was before I came here.

Mr. ROBSION of Kentucky. Did not the gentleman have experience in dealing with that very question and as to how it was handled back under the old act?

Mr. RANKIN. Yes; there were a few cases just as the gentleman said there, who were found to be misfits, and of course many of them were eliminated. Some of them quit and went back home to doing the same kind of work they would have done if we had never had a war. The average student in this country, the average boy in this war, is going right back to the community he came from and he is going to go into the very business that he would have gone into if we had not had a war, if he can get into

it. Farmer boys from my district will go right back to the farm, the majority of them. For instance, we have an agricultural school in Itawamba County, and they are trying to teach those boys how to do the things they are going to have to do. They recently got a large number of electrical machines in order that they might teach those girls in that county how to use them. Those are the students who want to go back there and learn to do the things they are going to have to do all their lives. For that reason we made this measure just as liberal as we could in permitting them to select a school they want to go to.

One reason I want to give this discretion to the Veterans' Administration is that I am afraid in some States you may have some men who look at education from the top and not from the bottom and who would not approve of these small schools that these men with small means or a small amount of education are going to have to go to, to learn to do the things they are going to have to do to make a living.

Mr. JUDD. Mr. Chairman, will the gentleman yield at that point?

Mr. RANKIN. Yes; I yield.

Mr. JUDD. That, it seems to me, is the place where the distinguished gentleman is departing from his doctrine of States' rights.

Mr. RANKIN. No; it is not.

Mr. JUDD. He says we have to recognize and send veterans if they wish to all the schools which a State department of education recognize, but the Administrator here in Washington may also send them to additional institutions which the State department of education does not recognize or approve, that is, he loses confidence in the ability of each State to determine for itself what educational institutions and standards shall prevail in its borders. This is the place where I differ with this bill more than any other.

Mr. RANKIN. The gentleman has become confused between States' rights and State authorities. There is a difference between standing for States' rights and an idolatrous reverence for men in State office.

Mr. JUDD. But you are transferring control to the men here in Washington.

Mr. RANKIN. No; I am not.

Mr. JUDD. You are transferring control to the men here in Washington who can override the States and approve schools which the States have turned down.

Mr. RANKIN. I am doing just exactly what the gentleman from Minnesota would not do. I am making it possible for these boys and these girls to take a course at these small schools which might be considered insignificant and offside and which may not come up to the standard of the high-collared professor who might look at education from the top and not from the bottom.

Mr. JUDD. As a matter of fact, in the bill which some of us prepared in the Committee on Education, it is all spelled out that "approved educational or training institution" includes elementary and secondary schools, business colleges, vocational schools, and so forth, so that the



veteran could not be excluded from even the third or fourth or fifth grade if that was where he belonged or the education he wanted.

Mr. RANKIN. The trouble is there are too many people in this country who are overeducated and under trained now. We are trying to provide a system of training and education so that these young men and young women may fit themselves for the battles of life when they come back from this war.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MURDOCK. As a schoolman I am interested in many points already raised but will turn to a minor one—but still important to Indians and their schools.

As I have said before to the chairman, I want to see to it that the State educational authorities have control over all educational facilities within their borders and not the bureaucrats of Washington. I would like to ask the gentleman a question with reference to section 6, on page 55, of the bill, whether that section would debar Indian veterans from making use of an Indian school, for instance, at Phoenix, Ariz., where there is a good school operated entirely by the Federal Government? Or does that language have reference to any such schools operated by the Federal Government?

Mr. RANKIN. Right there is another question why the Veterans' Administration authority should come in. If the State did recognize the Indian school the Veterans' Administration would, because those Indians would rather go to that Indian school than to try to go to the University of Minnesota. We are trying to bring this down to a practical level.

Mr. JUDD. We have excellent schools of both kinds in Minnesota.

Mr. RANKIN. Do not you gentlemen get the idea you are the only ex-professors in Congress. I taught school. Perhaps I should say I kept school. The first day I ever taught school we had three books, four students, and five dogs. While I do not boast as much as some of the rest of you, I can say we made that school a "howling success."

Mr. MURDOCK. I want to be specific as to the meaning of that language. The gentleman does not believe that the language of this section would debar Indian veterans from attending Indian schools?

Mr. RANKIN. It absolutely would not. In other words, it makes it possible to reach out and recognize these Indian schools. They will be recognized.

Mr. MURDOCK. That is what I wanted to know for there are several such Indian schools to which Indian veterans may want to return.

Mr. CLASON. Would the gentleman yield?

Mr. RANKIN. I yield.

Mr. CLASON. I would like to see this privilege of getting an education, vocational or college or university, given to all veterans. I would like to know at this point why the provision was put in on page 52, starting with line 21. Was that in the bill after the last war? It seems to me that could be stricken out

without injury to the Veterans' Administration or the Government, and might help the veterans to go to school.

Mr. RANKIN. I do not think that is a limitation at all.

Mr. CLASON. Why is it in there, then?

Mr. RANKIN. Simply to show the spread. In other words, to include everybody.

Mr. CLASON. Why not leave it out then, and we will know it includes everybody.

Mr. RANKIN. It does include everybody under this bill, but if you cut it out there might be a construction placed on it that would eliminate some of the very people we are trying to take care of.

Mr. CLASON. Then every veteran would be eligible if he served 90 days. By putting that in there you limit it in some way.

Mr. RANKIN. Well, he is recognized now.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I congratulate the gentleman upon his knowledge of this bill and the fine explanation he has made of it. I want to ask him with reference to the provision contained in section 104, page 46, which reads:

No person shall be discharged or released from active duty in the armed forces until his certificate of discharge or release from active duty and final pay, or a substantial portion thereof, are ready for delivery to him.

I understand the purpose of that provision is so that these men who are discharged will receive promptly what is coming to them.

Mr. RANKIN. That is right.

Mr. LUTHER A. JOHNSON. But I am wondering whether or not there should not be some flexibility to take care of a case where some emergency might require his discharge without waiting for that. For instance, on account of illness in his family, or on account of a job waiting for him. If the circumstances are such that the man himself desires to be released, should there not be more flexibility in the law?

Mr. RANKIN. Under those conditions he could get a furlough. I think this provision would protect him more than it would embarrass him.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. RANKIN. Mr. Chairman, I will yield myself 10 more minutes.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. RANKIN. I yield.

Mrs. ROGERS of Massachusetts. The sentence on page 47, if I correctly heard what the gentleman from Texas said, would cover what he had in mind.

Mr. LUTHER A. JOHNSON. That "this section shall not preclude immediate transfer to a veterans' facility for necessary hospital care, nor the discharge of any person who refuses to sign such claim or statement." He might not want to go to a hospital.

Mrs. ROGERS of Massachusetts. He could get out. The bill provides on line 10, "and provided further, that refusal

or failure to file a claim shall be without prejudice to any right the veteran may subsequently assert."

I think the veteran is protected there.

Mr. LUTHER A. JOHNSON. I wanted some provision so that if the circumstances were such that the veteran was willing to waive it, the law would not bind him.

Mrs. ROGERS of Massachusetts. Oh, no. The committee inserted that provision for that reason.

Mr. RANKIN. We worked over that provision very carefully.

Mr. CALVIN D. JOHNSON. Will the gentleman yield?

Mr. RANKIN. I yield.

Mr. CALVIN D. JOHNSON. Referring to line 7, on page 55, there are these words: "regular school year." Veterans, no doubt, will be attending two classes of institutions. One would be the trade school and the other would be the school of higher learning. One has a school year that would run 34 or 36 weeks and the other as much as 48 weeks.

There will be discrimination there unless an explanation is placed on "the regular school year" as to what it constitutes, because some trade schools run as much as 48 weeks as a regular school year, and others would be only 34 weeks. The fee is fixed at a certain amount and the better schools would find themselves limited because of the greater amount of training they were giving.

Mr. MASON. If the gentleman will yield, you will find that the trade schools that have longer school years than the others are usually the cheaper ones.

Mr. CALVIN D. JOHNSON. I beg to disagree with the gentleman because I know of some, particularly the aviation schools, where the longer school years are in the better schools.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. ANGELL. I have received a telegram from the State superintendent of schools in my State, and also from the chancellor of the higher educational institutions, telegrams urging that the Barden provision be substituted for section 2. I was wondering if the gentleman has discussed that?

Mr. RANKIN. No. We reserved that for the 5-minute rule. I am going to yield to the gentleman from North Carolina [Mr. BARDEN] some time a little later, to discuss the provisions of his bill. It is in order for it to be offered as a substitute for this title. When it is offered it will be under discussion under the 5-minute rule.

Mr. ANGELL. This telegram which I assume all my colleagues have received from the executive committee of the Governors' Conference, reads as follows:

HON. HOMER D. ANGELL,  
Washington, D. C.:

While we are in entire sympathy with the Rankin omnibus bill, and we are in full accord with its general provisions, we hope that title 2, providing educational opportunities for veterans will be amended so as to make it clearly mandatory to preserve to the States and educational institutions, approved by the States, control of the actual education of our veterans. We ask this because we believe the most fundamental basis of our American way

of life is local control of our education facilities. We urge also that provision be made in the Rankin bill to pay fair tuition to publicly supported institutions as well as private as is provided in title 2, part 7, section 7, of the Clark bill.

The Executive Committee of the Governor's Conference: Leverett Saltonstall, Massachusetts; Chairman John W. Bricker, Ohio; J. Melville Broughton, North Carolina; Dwight H. Green, Illinois; Dwight Griswold, Nebraska; Spessard L. Holland, Florida; Herbert B. Maw, Utah; Herbert R. O'Connor, Maryland; Earl Warren, California.

Mr. RANKIN. To show how great educators' minds run in the same channel, I think we had the same telegram here from the head of some educational authority of a State probably a thousand miles from Oregon. I think it was the same telegram, "verbatim, spellatim, and punctuatim."

Mr. ANGELL. This is a telegram from Governor Saltonstall.

Mr. RANKIN. That is the same telegram that was read a little while ago. I have received exactly the same telegram.

Mr. ANGELL. Is it the gentleman's opinion that the bill he is proposing now does preserve in the States control over the educational provision?

Mr. RANKIN. Yes, sir.

Mr. MURDOCK. May I say I have a similar telegram from the Governor of Arizona.

Mr. RANKIN. Yes. Now, if you want to discuss telegrams, I have enough in my office on other phases of the bill to entertain the Congress for the rest of the session.

Now, Mr. Chairman, title III is with reference to the loan features. I am not going to take the time to discuss it now.

Title IV covers the employment of veterans.

Title V, the readjustment allowances for former members of the armed forces who are unemployed.

Title VI covers the subject of general administrative and penal provisions.

This bill will be considered under the 5-minute rule at the close of the general debate, and it will be open for amendment. Practically all the amendments that have been referred to today will be in order.

This bill is not exactly what I wanted, but it is the very best we could get.

Title III, as I said, would cost \$75,000,000, and, the interest will cost probably \$45,000,000, all told. Title IV is estimated to cost \$52,000,000; title V, \$52,000,000; title VI, \$12,000,000. The total cost of the entire bill is estimated to be \$6,510,000,000.

I am going to yield the floor for the time being and permit the other Members to discuss the other titles to this bill. Before I do so, however, I want to express my gratitude publicly to members of the Committee on World War Veterans' Legislation for their diligence, their earnestness, and their unquestionable desire to work out a bill that will result in the best interests of the veterans and also the best interests of the Nation as a whole.

At this point I am inserting a statement by General Hines comparing the educational provisions of this bill with the Barden bill.

It reads as follows:

COMPARATIVE ANALYSIS OF TITLE II—EDUCATION OF VETERANS—S. 1767, AS REPORTED BY THE COMMITTEE ON WORLD WAR VETERANS' LEGISLATION, HOUSE OF REPRESENTATIVES, AND H. R. 3846, "A BILL TO PROVIDE FOR THE EDUCATION AND TRAINING OF MEMBERS OF THE ARMED FORCES AND THE MERCHANT MARINE AFTER THEIR SEPARATION FROM SERVICE, AND FOR OTHER PURPOSES," AS REPORTED BY THE COMMITTEE ON EDUCATION, HOUSE OF REPRESENTATIVES

For convenience the two bills mentioned in the caption will be designated respectively as the "veterans' bill," inasmuch as it was proposed by veterans' organizations, and the "Barden bill."

#### I. BASIC PRINCIPLES

The veterans' bill is based upon the principle of affording a direct benefit to veterans with no purpose whatsoever of controlling or building up educational machinery or educational institutions. Inevitably it may be assumed educational institutions may profit indirectly through the Federal Government affording educational and training opportunities as a veterans' benefit.

The principle of the Barden bill is one of building up tremendous educational machinery, both Federal and State, for the avowed purpose of affording educational aid to veterans, but it will be noted that the term used is "war-service person" and, as indicated by the title, this includes other than veterans.

The irreconcilable difference in the two bills in this respect inheres in the fact that the one approaches the question from the point of view of a benefit for veterans, whereas the other is the educators' approach to an educational bill with the veterans and others as the immediate occasion for the proposal.

#### II. ELIGIBILITY AND CONTROL

The veterans' bill bases eligibility upon criteria recommended by the Chief Executive and length of service and includes those who, having served the prescribed minimal period, had their education or training interrupted, deferred, or interfered with by service in the active military forces, and conditions the length of such education or training upon the length of such active service and the satisfactory progress of the individual pursuing a course of education or training. It not only does not give the Veterans' Administration any control over any school or institution, public or private, but specifically forbids the exercise of any such control. It does require that the veteran apply to the Veterans' Administration and meet certain requirements, thereby accomplishing the one and only purpose for placing this matter of education of veterans in the Veterans' Administration, namely, that there will be one place to which veterans may apply for any veteran benefit afforded by Federal law and one Administrator who may be held responsible by the Congress for the administration of such benefits.

Under the Barden bill any person who served for a minimal period of 6 months is entitled, subject to the approval of the institution and State board, to the equivalent of 3 full school years (it is not quite clear how this could apply to those in apprentice or other training not divided into school years). As indicated, the veteran's rights will be determined by a State board and the Federal Government will pay the bills. Under such conditions there is no apparent reason for placing this matter in the Veterans'

Administration as it cannot be held responsible for results.

Under the veterans' bill the Administrator of Veterans' Affairs would be required to secure from the appropriate State agency a list of schools or institutions considered by such agency equipped to furnish education or training provided by the bill. Any such school or institution, together with any others added by the Administrator, would be required to be recognized for the purposes of the bill. Any eligible veteran could select any school which would accept him, and any courses which he and the school agree are appropriate for him. The only requirement is that he apply to the Veterans' Administration for determination of eligibility and, of course, continuation of payments of benefits, including maintenance allowance and tuition and fees would be conditioned upon receipt of satisfactory progress reports from the school or institution. The Administrator would be authorized to secure by agreement or contract with State, Federal, or private agencies or institutions availability of additional facilities, if needed.

Under the Barden bill a war-service person may likewise enroll in any approved institution which may accept him, the discontinuance therein to be conditioned upon reports made by the school authorities to a State board. The only authority the Administrator would have would be to pay the bills as certified by such State board.

#### III. MACHINERY

The veterans' bill authorizes and requires no additional machinery whatsoever, Federal or State.

The Barden bill requires the following additional machinery:

(a) A war service education and training agency in the Veterans' Administration, the director to be appointed by the Chief Executive, after recommendation by and consultation with the Administrator of Veterans' Affairs, the duties of the director of such agency to be prescribed by the President. The director would have authority to appoint all other employees subject only to approval of the Administrator.

(b) An advisory council consisting of the director and 14 other members appointed by the President, representing the Department of War, the Department of the Navy, Office of Vocational Rehabilitation, the Bureau of Placement of the War Manpower Commission, the Bureau of Training of the War Manpower Commission, the Selective Service System, the United States Office of Education, and 7 representatives of the public, 4 of whom are recognized leaders in the field of education. The purpose of such council would be to counsel and aid the director to formulate general policies and procedures to insure the effective inauguration and operation of the program of education and training provided by the bill, to examine State plans submitted to the director for approval, and to make public necessary information with respect to the needs for general education and for trained personnel in the various trades, crafts, and professions in order that war-service persons may be given proper guidance in the choice of a course of instruction and be furnished such education or training as will improve their opportunities for useful and gainful employment. Subject to the advice of such council and the approval of the Administrator, the director is given authority to promulgate such rules and regulations as may be necessary to carry out the declared purposes.

Apparently all the product of this machinery would be advisory or hortatory only, inasmuch as section 11 would preclude any supervision or control over any State agency or education or training institution at least



with respect to its personnel, curriculum or methods or materials of instruction, but otherwise full control over not only State or public, but private institutions is purported to be retained in a State board.

(c) Each State will be required to designate or create a State agency for the administration, supervision, and control of the State plan. Every State would be required to submit a State plan for approval of the Director. Such plan would be required to show the provisions providing for appointment of personnel or maintenance of personnel standards, the standards adopted for governing the approval of educational or training institutions, public or private, by the State board. It would provide that no business or other establishment would be approved for apprenticeship training unless it meets certain standards set up by State or Federal laws with respect to requirements as to labor, health, safety, etc. Finally, it would have to provide for the appointment of an advisory committee in each State (some 50 in all) to be broadly representative of the various types of approved education or training institutions in the State to aid and advise the State department of education in the administration of the State plan. (The Barden bill creates such board for the District of Columbia.)

The further requirements upon the State board are:

(a) To establish lists of approved educational and training institutions within the State, public or private, religious or secular.

(b) To review continuously the work of such institutions to determine whether they remain approved.

(c) To determine customary charges of such institutions and to recommend payment of additional fees where the established fees, if any, are not adequate.

(d) To transmit to the Director certifications regarding eligible persons applying for and receiving education and training, together with name of the approved institution being attended, and the names and other data relating to dependents. Thereupon the Director would certify such matters to the Administrator who would be required to pay the bills.

#### IV. EXPENSES AND BENEFITS PROVIDED

The two bills are identical with respect to the amount of maintenance allowance provided for the person pursuing a course of education or training, and for the payment of necessary tuition and other customary expenses in connection therewith, except as indicated above; that is, the Barden bill provides that the State boards may recommend additional tuition and fees, whereas the veterans' bill authorizes the Administrator, as is now the law with respect to vocational rehabilitation for disabled veterans, to arrange by agreement or contract for additional facilities where existing facilities are inadequate.

#### V. LIMITATION OF FEDERAL AUTHORITY

The veterans' bill forbids the exercise of any supervision or control whatsoever over any State agency or educational or training institution by any department, agency, or officer of the United States.

The Barden bill forbids such supervision or control only as to personnel, curriculum, or methods, or materials of instruction.

The veterans' bill gives no control to any State or State agency or private or religious schools or institutions.

The Barden bill gives the State agencies control over such institutions. This poses for consideration of Congress the question of academic freedom and individual initiative.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself 5 minutes.

The so-called G. I. bill of rights, S. 1767, was thoroughly considered by the Committee on World War Veterans' Legislation, and the amended bill reported by the committee I believe improves the measure in many respects.

The bill is one of the most far-reaching measures that has ever come before the Congress.

Mr. Chairman, first, as ranking minority member, I wish to express my appreciation to the chairman of the Committee on World War Veterans' Legislation and other members of the committee for their cooperation, their diligence, their patience, and their enthusiasm for bringing a bill to the floor that would be supported by the Congress and that would bring additional benefits, benefits of readjustment and reconditioning to the men who serve so magnificently in this war. It has been a real pleasure to meet and cooperate with the members of the committee. The chairman gave us full and complete time to discuss the bill and it was a free and open discussion. While I may not have believed in every provision, just as other members did not agree with everything, we finally reached a bill that we thought would be of great benefit to the veterans. It may be that it will have to be amended or changed at a later date, and I shall approve of that if it is found necessary. I feel very strongly that we already should have passed more legislation that would provide added benefits to our service-connected cases and I hope this speedily will be done: An increase in rates of compensation for our battle casualties, our battle injured, and their dependents. I also want to remind the House that many are seriously, very seriously injured while on duty in the United States.

I should like to point out to the committee that the amendments to S. 1767 principally preserve the existing machinery of the States or other agencies; make for easier administration and aid the veteran in securing assistance by having one agency to contact—it will be remembered that after World War I the veteran was at a loss to know where to go for help, and the first step toward consolidation of veterans' activities was the World War Veterans' Act amendment of August 9, 1921, establishing the Veterans' Bureau; will accomplish the purpose of facilitating proper transition of the veteran from military to civilian life in a more direct and simplified manner, which will materially reduce the administrative cost; and will avoid duplication and overlapping of both administration and benefits, and enable the Congress to secure from one source, the Administrator of Veterans' Affairs, complete reports on operation of the act. The bill in amended form retains many of the provisions of the Senate bill, and is more comparable to the bill as originally introduced in the Senate to accomplish the programs of the American Legion and the Veterans of Foreign Wars.

The committee considered numerous bills at the beginning of the year and held hearings thereon, although some of the phases included in S. 1767 were not then

before the committee because of lack of jurisdiction. Following the passage of S. 1767 by the Senate, public hearings were conducted on S. 1767 and testimony was received from various witnesses, including representatives of service organizations, Members of Congress, and representatives of educational organizations. Immediately following the recess executive sessions were held daily over a period of 3 weeks, afternoon sessions also being conducted with permission of the House. I will briefly describe some of the important changes in the Senate bill made by the amendment reported by the Committee on World War Veterans' Legislation. A detailed explanation of the various changes is contained in the printed report of the committee, House Report No. 1418, May 5, 1944.

One of the most important provisions under title I of the bill is that it makes the Veterans' Administration a war agency second only to the Army and Navy. It will be of untold value in priorities, untold value in the transfer of hospitals from the Army and the Navy to the Veterans' Administration; the transfer of matériel, and the transfer of personnel such as doctors and nurses for which there is such great need and of which there is such a great shortage in the Veterans' Administration facilities today. The Veterans' Administration has been very much handicapped, they state, by the fact that they have not been a war agency.

I regret personally that the amount of \$500,000,000 is removed from the provision authorizing and directing General Hines to build and complete Veterans' Administration facilities, but the committee as a whole decided that the \$500,000,000 was a limitation. I was sorry because I firmly believe that it is not a limitation but that on the other hand it would ensure that that amount of money could be spent for the building of hospitals. I should like to see that go back into the bill.

A paragraph in which the gentleman from Missouri [Mr. COCHRAN] was vitally interested is the one that provides that any person entitled to a prosthetic appliance shall be entitled in addition to necessary fitting and training, including institutional training in the use of such appliance whether in a service, War Veterans' Administration hospital, or by out-patient treatment, including such service under contract.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself 10 additional minutes.

Mr. Chairman, this is a vital amendment in my belief because after the First World War many veterans were discharged from hospitals and Veterans' Administration facilities with improper fitting of artificial arms and legs, appliances that hurt the arms and legs, if you will, of the persons wearing those appliances. Many of them were given these prosthetic appliances but were never properly trained how to use them, never trained to walk and dance and do other

things such as they are being taught to do today in the Army and Air Corps hospitals, and reconditioning centers.

Mr. CUNNINGHAM. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. CUNNINGHAM. And the gentlewoman from Massachusetts is responsible for that provision being in the bill relating to training in the use of prosthetic appliances, training of these boys before they are discharged from the service in the use of these appliances so they will not be thrown out upon the public with these appliances and not know what to do with them. I wish to congratulate the gentlewoman for the steps she took in the interests of the veterans in seeing that this provision was put in the bill.

Mrs. ROGERS of Massachusetts. I thank the gentleman and members of the committee very much for their agreeing to the amendment. They were just as much interested finally as I was in having that provision in the bill, because they realized the tremendous value to the veterans of such training. It does not require that the veterans stay in the hospital or the Administration facility in order to learn how to use the appliances. Such veterans can go to a contract hospital such as the Institute for the Crippled in New York; if their homes are near enough they can live at home and go there for treatment and training in the use of such appliances.

Mr. KEARNEY. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. KEARNEY. Speaking about the Institute for the Crippled in New York, am I correct in understanding that the Army Air Corps has doctors studying in that school and that the Army has now sent some of their doctors there also?

Mrs. ROGERS of Massachusetts. That is true; and further my understanding is that the Veterans' Administration plans to use that school and will use other schools. They will be of great value in letting the disabled to return to their normal pursuits.

One of the most important provisions of the bill is that the service organizations may have, as they do in veterans' facilities today, a room in the hospital where the men can go and be told about their rights to compensation and benefits to which they are entitled. I met a man in one hospital recently who gave both his arms to his country. He has lost also an eye and, thanks to plastic surgery, a new nose has been made for him. The doctors will try to save the sight of his other eye. That man did not know that under present law he is entitled to training in languages and in other studies in which he is interested. He now knows them and is on the road to a useful and extremely helpful career. He is very much interested in certain problems, and he will be of great value to the country if he can help in their solution. The veterans' organizations

such as the American Legion, Veterans of Foreign Wars, Disabled American Veterans, Order of the Purple Heart are of untold help not only to the veterans but to the legislative bodies of the Congress in suggested benefits for service men and women.

Mr. JENSEN. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Iowa.

Mr. JENSEN. I do not know whether the committee has ever considered making disability compensations permanent after a number of years or not. I have veterans in my district, as I know the gentlewoman has in hers, and there are veterans in every district, who came out of the last war with diseased lungs, for instance. They have been receiving full compensation. They have been doctoring ever since the war was concluded and have been unable to work. Then the Veterans' Administration comes along and finally makes an examination of this veteran and determines that he is able to work, so they take a certain amount of the compensation away from him after a man has reached the age of 45 or 50 years and is unable to work at any gainful occupation. I am wondering if the committee has ever considered those cases.

Mrs. ROGERS of Massachusetts. The committee has considered those cases, and I hope further legislation will be passed. May I answer more completely the gentleman at a later time? I am going to talk a little about title II. So long as we have had so much discussion on the educational provision on the floor this afternoon I think we should finish that first.

Mr. JENSEN. Would it be possible to offer an amendment to this bill to that effect?

Mrs. ROGERS of Massachusetts. I am very glad the gentleman brings that up. There are many amendments I should like to add to this bill for the disabled veterans, but I fear if we add them to this bill we would not get this bill through the Senate promptly. I should prefer, and it is to the disabled veterans' interest, to have those things in another bill, a separate bill just for the disabled veterans and to get this bill through promptly because after all it has been a long time since Pearl Harbor and this legislation should be on the statute books. Canada had such a bill in 1941, and I am anxious for the speedy enactment of this law.

Mr. JENSEN. I am just as anxious to have it passed.

Mrs. ROGERS of Massachusetts. I am sure the gentleman is. I know of his interest in the veterans.

Mr. Chairman, this bill sets up a board of review in the War and Navy Departments to consider the type and nature of discharge or dismissal and other than sentence by general court martial, and to change, correct, or modify such discharge or dismissal, based upon the facts found, and to issue a new discharge in accordance with the facts. I think this will be a very fine provision because some

men are given undesirable discharges, not dishonorable, that they should never have been given. They are given discharges sometimes in error and sometimes for one reason or another, sometimes because the service wants to cut its personnel, and that is an easy way to get a man out; that is, give him a blue discharge. I saw that done in the last World War. This will be an extremely helpful provision and will result in more adequate justice to the veterans.

This section as it passed the Senate has been amended in several respects for clarification purposes but with an added provision in the nature of a statute of limitation.

Under title 1, section 104, pertaining to availability of certificate of discharge, final pay, or substantial portion thereof to be ready for delivery to the veteran or some person on his account preliminary to discharge or release from active duty, there is included a provision that no person shall be discharged or released on account of disability until and unless he has executed a claim for compensation, pension, or hospitalization to be filed with the Veterans' Administration, or has signed a statement that he has had explained to him his right to file such a claim. It is provided that this particular provision shall not preclude immediate transfer to a veterans' facility for necessary hospital care, nor the discharge of any person who refuses to sign such claim or statement. It is further provided that refusal or failure to file a claim shall be without prejudice to any right the veteran may subsequently assert. A paragraph has also been added to this section that any person entitled to a prosthetic appliance shall be entitled, in addition, to necessary fitting and training, including institutional training, in the use of such appliance, whether in a service of a Veterans' Administration hospital, or by out-patient treatment, including such service under contract.

This title also contains a section providing that no person in the active service shall be required by any officer thereof to sign a statement of any nature relating to the origin, incurrence, or aggravation of any disease or injury he may have, or any other statement against his own interest, and that any such statement signed at any time shall be null and void and of no force and effect.

With reference to the recognition of accredited representatives of service organizations to aid and assist persons in the active service, who are about to be discharged or released therefrom, in the preparation and presentation of their claims for benefits under laws administered by the Veterans' Administration, amendments have been added to limit the number of organizations and the number and type of representatives and to insure the continuance of legislative authority with respect to the American Red Cross.

Title II is the section having to do with the education of veterans. Section 400 of the Senate bill is completely revised. Under the bill as it passed the Senate it would be necessary to have an outside



educational agency, either in the Veterans' Administration or the Federal Security Agency, and cooperative Federal and State educational machinery to afford educational benefits to the veterans.

I remember in the First World War the great delay in the settlement of veterans' claims and in their securing training because there were so many different departments handling the matter. There was the war-risk insurance. There was a department known as the Federal Board of Vocational Training, and there was the Public Health, and the Pension Office. I am positive that the further centralization of the administration of veterans' benefits will be very advantageous to the veterans. No department is so much interested in the veterans as the Veterans' Administration. It was created for that purpose. And the consolidation of the four departments I mentioned above was a great step forward for the veterans. The Veterans' Administration has all the files, all the information, and all the records having to do with the veterans, and it is very helpful for the veterans and their families to have definite places all over the country marked "Veterans' Administration," where they can go and know that they will receive as speedily as possible and without additional red tape all information and Federal assistance to which they are entitled.

It is the position of the committee that there is no necessity for additional machinery, either State or Federal, and that all that is necessary is to provide for the payment of necessary expenses and a moderate subsistence allowance to allow eligible veterans to attend schools or other institutions of their own choice—

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself an additional 5 minutes.

Including apprenticeship and other training, with the simplest form of administration, identical with that established by vocational training under Public Law 16, Seventy-eighth Congress. I have never heard any college, school, or institution object to the administration of that law, so far as the law itself is concerned, and the States did not object. The States did not feel that it in any way interfered with States' rights.

Under the bill as reported no Federal officer or agency shall exercise any control whatsoever over any State agency or over any school or institution. That is a direct prohibition from interfering with the curriculum of the school or the personnel or anything else done in the school that is legitimate.

Mr. MILLER of Connecticut. Will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Connecticut.

Mr. MILLER of Connecticut. I wonder if the gentleman will agree with me that there is a definite advantage in having this educational program under the direct control of the Veterans' Adminis-

tration, particularly for the reason that the early noticing of symptoms and diagnosis, with especial reference to the neuropsychiatric classifications, is very helpful and it is important that this should be placed under the jurisdiction of the Veterans' Administration because he is more likely to keep in touch with them as the symptoms develop than if he was attached to another agency of the Government that had no connection with the Veterans' Administration. In that way they will get a good many cases that show early symptoms that they may not find for 2 or 3 years after the war. In the long run I think it will save us a lot of money.

Mrs. ROGERS of Massachusetts. And I also believe it will save lives.

Mr. MILLER of Connecticut. There is no question about that.

Mrs. ROGERS of Massachusetts. Because the Veterans' Administration has the files, the clinical records, and other records. The Veterans' Administration is supposed to be the mother or father of the veterans.

Mr. CARLSON of Kansas. Will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Kansas.

Mr. CARLSON of Kansas. Under the provisions of this bill, would a veteran be entitled to attend a private business school or a commercial business college?

Mrs. ROGERS of Massachusetts. Yes; they will be allowed to do that. That is why the bill is broad as we drew it. While the States give a list of the accredited schools, the Administrator of Veterans' Affairs may approve some special school or institution in addition to the list given by the State board of education; if a man wishes to get some special type of training the veteran may be sent to a private school. This bill, in my opinion, is, first of all, a great protection to the veterans in giving them what they want in the way of institutional training and education, and in the second place it is a protection to the States, because there will be much less Federal interference than there will be under the Barden bill. I want to let the gentleman from North Carolina [Mr. BARDEN] explain his bill before I complete my remarks on the subject.

Mr. CARLSON of Kansas. A young man returning from the service, if he so desires, may take a business course in one of the private commercial colleges in the Nation?

Mrs. ROGERS of Massachusetts. Yes. He must apply to or he must see General Hines, or his representative, and if it be approved, the school will be added. And the service man or woman may enroll.

This bill is also a protection not only to the small institutions and private schools but to the larger colleges. Sometimes a government of a State or a commissioner of education may have some prejudice against a large college.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Iowa.

Mr. JENSEN. It also covers trade schools, I presume?

Mrs. ROGERS of Massachusetts. Yes; trade schools and apprenticeship schools.

Mr. JENSEN. I am sure the committee took into consideration the fact that trade schools are going to spring up all over the country because of the demand for such training. I have talked to a number of veterans who said that when they come back they would like to have an opportunity to attend a trade school for a year and a half or 2 years, to become proficient in the trade.

Mrs. ROGERS of Massachusetts. Yes. Of course, many of them who were in trades before will have to learn of the improvements in the trades and arts that have taken place. Take, for instance, plastics. Many of the men who had a mechanical training before did not have much experience in plastic work. The work in radar is just in its infancy.

Mr. JENSEN. And that is fully provided for in the bill?

Mrs. ROGERS of Massachusetts. Yes, definitely. The committee spent a long time on that. I think that the House made an improvement in the Senate bill in that a man need serve only 3 months in order to be entitled to education and training.

It is the position of the committee that there is no necessity for additional machinery, either State or Federal, and that all that is necessary is to provide for the payment of necessary expenses and a moderate subsistence allowance to enable eligible veterans to attend schools or other institutions of their own choice, including apprenticeship and other training, with the simplest form of administration, identical with that established for vocational training under Public Law 16, Seventy-eighth Congress. Under the bill, as reported, no Federal officer or agency shall exercise any control whatsoever over any State agency or over any school or institution. At the same time it will not subject private schools and institutions to control or supervision by State educational agencies. The qualifying period of service for eligibility has been changed from 6 months to 90 days. Otherwise length of training depends upon length of service and satisfactory progress in training.

Provision is made mandatory for the Administrator to secure from the appropriate agency of each State, Territory or possession, or the District of Columbia a list of schools or institutions equipped to supply education or training and such schools or institutions, with any additional added by the Administrator, shall be recognized as qualified to enroll eligible veterans for education or training. The amounts of maintenance allowances are identical with those of the Senate bill, with necessary provisions for election between benefits under Public Law 16 and under title II of this act and with limitations to prevent duplication of benefits.

The Administrator will have full authority to utilize and extend existing Veterans' Administration facilities, to utilize those of any other governmental

agency as well as those maintained by joint State and Federal contributions, and to provide by agreement or contract with public or private institutions or establishments for such additional training facilities as may be suitable or necessary under the act. This title also contains provision to prevent duplication of benefits under that title and title V on unemployment readjustment allowances. There are other administrative changes effectuated by way of amendment to Senate provisions.

**TITLE III. LOANS FOR THE PURCHASE OR CONSTRUCTION OF HOMES, FARMS, AND BUSINESS PROPERTY**

This title has been rewritten by the committee on an entirely different principle from that upon which the Senate bill proceeded. As passed by the Senate the Administrator on approval of other Federal agencies could lend to eligible veterans not to exceed \$1,000 for required down payment in connection with loans secured through a Federal agency or other lending agency, with no discretion in the Administrator to approve or disapprove the loan. The committee draft places full responsibility in the Administrator but authorizes him to utilize the services of State or Federal agencies. It does not authorize the making of any loan but instead authorizes the Administrator to guarantee not to exceed 50 percent of a loan secured from any person or lending agency with the proviso that the aggregate amount of guaranty of any loan or loans in the case of any individual veteran shall not exceed \$1,500. The service requirement for eligibility would be the same as in title II but application for loan may be made only within 2 years after separation from active service or 2 years after termination of the war, whichever is later and in no event more than 6 years after such termination. This will restrict loans to the period immediately following termination of the war.

Testimony before the committee indicated that the purposes of the title would largely be defeated by guaranteeing loans during the war, due to restrictions as to priorities, nonavailability of materials, the manpower situation, and other factors including inflationary trends. The interest for the first year on the part of the loan guaranteed by the Administrator shall be paid out of the appropriations made for that purpose. No security for the guaranty is required except the right to be subrogated to the rights of the holder of the obligation guaranteed. The interest rate could not exceed 6 percent per annum and the loan is to be repaid in full in not more than 20 years. Loans may be made by persons, firms, associations, and corporations or governmental agencies or corporations, either State or Federal. The provisions of sections 501, 502, and 503, containing the conditions for approval of loans, are essentially identical with those of the Senate bill. One of the differences is that approval is based upon proper and adequate appraisal rather than for an appraisal to be made by any other Federal agency.

**TITLE IV. EMPLOYMENT OF VETERANS**

This title was completely revised by the committee. As it passed the Senate it merely provided that the Administrator would be the chairman of a veterans' placement service board, the other members being the Director of the National Selective Service System and the Administrator of the Federal Security Agency, or such other official having the responsibility of administering the functions of the United States Employment Service. The committee draft places the entire responsibility on the Administrator of Veterans' Affairs, the functions to be discharged through cooperation with established employment agencies.

This title would transfer, effective the first day of the month following the date of the enactment of the act, the duties, powers, and functions of the Veterans' Employment Service of the War Manpower Commission to the Veterans' Administration. Likewise, effective as of or not later than the termination of hostilities in the present war, there is transferred to the Veterans' Administration the duties, powers, and functions vested in the Director of Selective Service by subsection (g), section 8 of the Selective Service Act of 1940, as amended. A proviso is added, giving the Chief Executive authority to effectuate such transfer prior to the termination of the present war. The records, property, and personnel of the Veterans' Employment Service are transferred to the Veterans' Administration and upon transfer of the stated functions of the Director of Selective Service the records and property of the Employment Division, Selective Service, shall be transferred to the Veterans' Administration. Necessary administrative provisions to carry out the foregoing purposes are contained in this title together with a general statement of the duties and responsibilities of veterans' employment representatives to be appointed by the Administrator and assigned to each of the States, Territories, and the District of Columbia.

**TITLE V. READJUSTMENT ALLOWANCES FOR FORMER MEMBERS OF THE ARMED FORCES WHO ARE UNEMPLOYED**

This title provides eligibility requirements uniform with that of titles II and III as to service. Readjustment allowances or compensation for each week of unemployment not exceeding 26 are provided, beginning after the first Sunday of the third calendar month after the enactment of the act and occurring during the 24-month period subsequent to discharge of the veteran from active service. The allowance prescribed per week shall be \$20, less that part of the wages payable for such week which is in excess of \$3, with a provision for the nearest multiple of \$1. Provisos are added to preclude duplicate allowances under this title and under Public, 16, Seventy-eighth Congress, and title II of this act. It is also provided that no readjustment allowance shall be payable more than 3 years after termination of the war. This title as redrafted by the committee is considered to be

more simplified both as to administration and benefits provided. Essentially the qualifications provided by applicable State laws will apply, with added restrictions as to disqualifications, and the administration by the Veterans' Administration will be the most direct possible through State agencies. While in some aspects greater restrictions have been adopted, the plan has been broadened to cover the self-employed during a waiting period of production such as in many agricultural and other productive enterprises. The amendments, it is believed, will remove most, if not all, of the objections seriously urged to the provisions of this title as passed by the Senate. It is assumed that all State agencies will fully cooperate with the Veterans' Administration in assisting the Nation to meet the problem of readjusting its service men and women to the ways of peace.

**TITLE VI. GENERAL ADMINISTRATIVE AND PENAL PROVISIONS**

This particular title as contained in the Senate bill was adopted with amendments believed essential and tying with the principal titles to the bill. It is designed to insure uniform administrative control to the end that all of these provisions for veterans generally, as well as disabled veterans, will be adequately and satisfactorily administered. Furthermore, the intent of the Congress is declared that benefits provided shall not be accumulative but selective, and that it is the purpose of the present Congress that they shall be deducted from any adjusted compensation or similar adjustment of service pay which may be provided in the future.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. RANKIN. Mr. Chairman, I yield to the gentleman from North Carolina [Mr. BARDEN] such time as he may desire.

Mr. BARDEN. May I say to the gentleman from Mississippi I regret that many Members have left the floor, because there has been quite a bit of discussion about H. R. 3846, which has been generally referred to as the Barden bill. I wanted to have an opportunity to discuss that bill before as many Members as possible, as well as to point out some of the criticisms of the present provisions of Senate 1767.

Let me say this at the outset. When the President signed the bill drafting 18-year-old boys on November 13, 1942, he announced that there would be a study made of ways and means of providing these men with an opportunity for training and education. This is his statement. I quote:

I am causing a study to be made by a committee of educators, under the auspices of the War and Navy Departments, for the taking of steps to enable young men whose education has been interrupted to resume their schooling and afford equal opportunity for the training and education of other young men of ability after their service in the armed forces has come to an end.

He set about and appointed a committee to make a study of that problem.



The members of that committee were as follows:

Brig. Gen. Frederick H. Osborn, Director, Special Service Division, Army Service Forces, chairman; Capt. Cortlandt C. Baughman, Director of Special Activities, Bureau of Naval Personnel, United States Navy; Rufus C. Harris, president, Tulane University; Dexter M. Keezer, Deputy Administrator, Office of Price Administration; Young B. Smith, dean, Columbia University Law School; John W. Studebaker, United States Commissioner of Education.

General Osborn designated as his alternate Col. Francis T. Spaulding, Chief, Education Branch, Special Service Division; Captain Baughman designated as his alternate Lt. Comdr. Ralph A. Sentman, Officer in Charge, Educational Services Section, Bureau of Naval Personnel.

That committee reported to the President and the President sent a copy of that report, together with his message, to the Congress, to the House, and to the Senate, and the Speaker of the House referred that report and the President's message to the House Committee on Education, of which I am chairman. That was last October 27, and from that date until May 4 the Committee on Education has been studying this problem, and only this one problem.

The committee has done a lot of work. I do not think there is a finer committee in the House or one that is more devoted to its duties. I think they are in a position to give some intelligent thought and suggestions on questions of education. I do not say that the Committee on Veterans' Affairs is incapable of passing on educational problems, but they had a tremendous problem before them. They had many different sections of the bill. They worked hard. They have done a very credible job, and I want to congratulate the chairman of that committee and compliment the various members on their very keen devotion to duty. There has been an attempt to stir up a fight between possibly the American Legion and the educational people of this country. There is and should not be any fight. Many members of my committee are members of the American Legion. Personally I have been a member for over 20 years. We are all seeking the same objective, and that is the best possible educational program for the veterans now in service. There is no fight over the objective. There is a difference of opinion as to the approach and the manner in which it should be accomplished.

After the Committee on Education had completed its studies and consideration of H. R. 3846, the bill, on May 4, was reported out by the Committee on Education. The committee was conscious of the fact that there was included in the so-called G. I. bill a section dealing with education. I conferred with the chairman of that Committee on Veterans' Affairs and we decided that in view of the fact that we were all intensely interested in the objective sought, it would be probably wise for our committee to present to the Committee on World War Veterans' Legislation the result of its labors, work, and thought on

this subject, and told them to take the bill and insert it in their bill; that we had no pride of authorship, that we were not trying to hold the number, that we did not want any credit for it. So the gentleman from Texas [Mr. LANHAM], the ranking minority member the gentleman from Michigan [Mr. DONDERO] and myself went before the Veterans' Committee, and in a brief time we tried to present the bill.

That same afternoon, I understand, the Committee on Veterans' Affairs reported out the bill without including the title, which the Committee on Education had been dealing with. That is understandable, because they wanted to report the bill out that day, and they did not think much of just turning over and kicking out that section of their bill in 30 minutes. I can understand that. So then there was nothing for us to do except to report our bill to the House and attach to it the report which explains the provisions of the bill.

In dealing with this problem, I trust nothing said by me here will in any way be construed as being personal toward General Hines, the present most excellent Administrator of the Veterans' Administration, for I have the same high regard, trust, and confidence in General Hines that everyone else has who has ever come in contact with him. But in writing Federal legislation I have found from bitter experience that we must write with a view toward getting, at times, less cautious men than the present Administrator, General Hines. For this reason, too much power vested in the position of the Administrator is dangerous and a constant threat not only to the educational institutions of the country but to the liberties of the individual. Unless I do not understand the English language, the language used in title 2 of the G. I. bill gives to the Administrator more power than a good man should want and certainly more than a bad man should have.

There has been some mention here that the General has taken exception, or somebody down in the department has, to two statements contained in the committee report.

I can hardly believe that is true. Nevertheless, the statement referred to quoting from the report is as follows:

This legislation has recognized the legitimate interests of the Veterans' Administration in a matter so vital to the veterans.

For the life of me, I cannot understand how anyone would object to that language, for certainly if the Veterans' Administration does not have a legitimate interest in the welfare of the veterans it ought to have. I can see no criticism from that source. I certainly see no occasion for any explanation or apology for that statement and I have none to offer. The next statement was:

The average veteran is more interested in the little red schoolhouse than in a more powerful Veterans' Administration.

If that is not a sound statement, then I do not know how to make one. Certainly I did not imply that General Hines is

interested in a powerful Veterans' Administration. I simply said that the average veteran is interested in the preservation of the little red schoolhouse, and I think that is a sound statement. So I see no occasion for the general or anyone else to be stirred up and I am not much concerned; certainly the general did not write the bill, but if he had this report and legislation is a matter pending before Congress and my course will be guided by my best judgment, duty to the veterans and my country. But I do say that certainly no one is charging General Hines with seeking any power or authority or bureaucratic powers. Nobody has ever thought of that in connection with that mild-mannered, modest, fine gentleman. But should he ask for the passage of S. 1767 with such provisions as are now in the bill, then I would say he was calling for too much power.

Title II of S. 1767 is the first real invasion threat to the State's educational fronts and makes the Administrator, whether he likes it or not, everything from big boss to truant officer. Under any scheme to provide education for veterans, the following must be decided by someone: What course is to be taken? What school will be attended? Is the course being successfully pursued? What tuition will be paid the school? How long is the course of training to be?

The G. I. bill—S. 1767—answers the question as to what course is to be taken by providing that it shall be a course selected by the veteran subject to regulations promulgated by the Administrator of the Veterans' Administration. Give me the power and authority to promulgate and enforce my regulations. That is the thing that has caused us so much headache out of Washington—that very thing.

I call your attention to something that is very, very important, and I hope the gentleman who is going to follow me will give me his attention for a minute because I am intensely interested in some kind of explanation of this. Additional light is thrown on this matter of election by paragraph 7 of S. 1767.

Mr. CUNNINGHAM. Mr. Chairman, will the gentleman yield for a question?

Mr. BARDEN. I yield to the gentleman from Iowa.

Mr. CUNNINGHAM. I think the gentleman should have this information. If I understand, our committee will offer an amendment to strike paragraph 7 entirely from the bill.

Mr. ALLEN of Louisiana. If the gentleman will yield, it is my purpose at the proper time to offer a motion to strike out paragraph 7 entirely.

Mr. BARDEN. I may say to the gentleman from Louisiana that I am glad I have smoked him out on the very first paragraph I attack.

Mr. ALLEN of Louisiana. The gentleman did not smoke me out at all.

Mr. BARDEN. Nobody has said anything about striking it out until now.

Mr. ALLEN of Louisiana. I made up my mind to offer an amendment to do that long before we came in here with the bill.

Mr. BARDEN. I shall have to talk about the gentleman's bill as it is now written, because about 25 amendments to it, very practical amendments, have already been suggested.

Mr. ALLEN of Louisiana. A moment ago the gentleman was talking about election under part VIII on page 52, and was talking about the regulations the Administrator would prescribe, but he did not read quite far enough. Why did not the gentleman read on and say, "pursuant to the authority and within the limitations herein contained"?

Mr. BARDEN. I am going to give the gentleman some of the limitations herein contained in just a minute. If he will bear with me a few minutes, I will really give him some limitations. Paragraph 7 contains almost unlimited authority. How did it get in the bill and if the bill has been so perfect up to this point what has caused the rush to strike it out? I shall have to discuss this bill as it is now written. It would certainly be unwise for me to take the attitude that the gentleman's amendment will be adopted. If he secures the adoption of that amendment and does not put something in its place, then I would certainly wonder how he is going to run and operate this piece of legislation.

Let me talk about paragraph 7 here. I quote from S. 1767:

The authority vested in the Administrator by paragraphs 2, 6, and 7, part VII, Public Law No. 16, Seventy-eighth Congress, with respect to vocational rehabilitation, shall be vested in, and may be exercised by, him with respect to education or training under this part.

Now let me read you paragraph 2, a part of this bill, and see how you like this. Yet people wonder why the educational people of this country are disturbed. They would not be worthy of being called educators if they did not get disturbed over this. I am reading a part of S. 1767 as it is now written:

The Administrator shall have the power to prescribe and provide suitable training to persons included in paragraph 1—

Just stop right there. Many times today has the statement been made here that the Veterans' Administrator under that bill had no authority to "prescribe or direct." He has the power to prescribe and provide, and quoting further—and for such purposes may employ such additional personnel and experts as are deemed necessary and may utilize and extend existing Veterans' Administration facilities and utilize those of any other governmental agency as well, as those maintained by joint Federal and State contribution.

This includes the land-grant colleges and the Smith-Hughes colleges. Further quoting:

In addition, he may by agreement or contract with public or private institutions or establishments provide for such additional training facilities as may be suitable and necessary to accomplish the purposes of this part.

I do not blame the gentleman for wanting to get out from under that. The American people, I am quite sure,

are in harmony with most provisions of the G. I. bill. But they do not want any Government-issue education.

If he cannot build his own colleges, if the Administrator cannot prescribe, if he cannot provide, if he cannot direct, if he cannot establish his own facilities, then I do not understand the English language, and I pause for anybody to challenge that interpretation. Then if by your silence you admit that, you admit this is a one-man program, which bypasses the States and their institutions completely.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I will be glad to yield to the gentleman. Does the gentleman want to challenge that statement?

Mr. MURDOCK. No; I want to ask the gentleman, Does the power, under the provision of law which he just read, if conferred upon this Director, give him the opportunity to set up independent and separate machinery for education in the United States?

Mr. BARDEN. He can do almost anything he wants to do.

Mr. MURDOCK. If that is so, then I certainly agree with the gentleman that it would be better to cut it out.

Mr. BARDEN. The gentleman understands the English language.

Mr. MURDOCK. It would be better to cut it out of the bill if that is so, and I am glad to hear the gentleman from North Carolina say that such is his intention.

Mr. BARDEN. That is not all. I will give you more of the same thing.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I will be glad to yield.

Mr. NORRELL. I have just been reading section 4 (a) on page 17, the bill of the Committee on Education.

Mr. BARDEN. That is in which bill?

Mr. NORRELL. That is in H. R. 3846.

Mr. BARDEN. What is the gentleman referring to?

Mr. NORRELL. It is on this same point. It provides for the establishment of an advisory council appointed by the President, who would have charge of the education planning and facilities, as I understand it, that the committee bill under present consideration vests in the Administrator of Veterans' Affairs.

Mr. BARDEN. The gentleman is one of the most intelligent and ablest men in this House.

Mr. NORRELL. I thank the gentleman.

Mr. BARDEN. I just cannot understand how you could reach that conclusion. When have you ever seen an advisory committee which, as this is, is purely and simply and strictly an advisory committee, with no authority, no control, and no machinery, to act simply as an advisory committee? Where do you get any authority vested in that?

Mr. NORRELL. I am not asking you about the authority. I am trying to get you to explain to us the difference between your proposal here with reference to the advisory committee and the proposal of the committee bill under con-

sideration with reference to the recommendations of the Administrator of Veterans' Affairs.

Mr. BARDEN. I can do that briefly. I am sorry you interrupted me here, because that is not exactly in point, but I will give you this explanation. That is an advisory board set up by the President to confer here in Washington with a man who has to act as the umpire, so to speak. The gentleman referred to the Veterans' Administrator being "papa" to the veterans. The veterans do not want to be "papa-ed" any more by bureaus in Washington. The gentleman cannot argue with me about this.

Mr. NORRELL. I would not argue with the gentleman at all.

Mr. BARDEN. The gentleman understands so clearly the capacity and the authority of a purely and simply advisory committee.

Mr. NORRELL. But if the schools are not supposed to accept the advice of the advisory committee, then why have it?

Mr. BARDEN. They do not advise the schools; they advise the Director here in Washington. The committee did not regard the advisory board as absolutely necessary. We simply thought it advisable and to remove it would not destroy the bill.

Mr. NORRELL. All right. Then the Director in turn advises the schools; does he not?

Mr. BARDEN. No; he does not. We have restricted and confined his activities in this bill. And on the next piece of legislation that I have anything to do with which comes before this House, I am going to restrict and confine and clarify and be very specific as to the authority vested in directors and administrators in Washington City.

Mr. NORRELL. The point I am anxious for the gentleman to explain to us is, Who is supposed, in the final analysis, to accept the advice of this advisory committee?

Mr. BARDEN. The Director and the Administrator, if they want to. If they do not want to they can just tell them, "I am sorry, gentlemen, we just do not agree with you."

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. ALLEN of Louisiana. Why have this board at all? Why not leave it as we do to the school and the State, and the student?

Mr. BARDEN. I will tell you in a minute what you leave to the school and to the student. You do not leave him a thing in the world, not a thing in the world. You put the power to direct, the power to pay, the power to select, and the power to control somewhere else besides in the State or student.

Mr. ALLEN of Pennsylvania. Why have this board at all?

Mr. BARDEN. Why have the Congress of the United States? It is a part of our democracy and we thought this way the most democratic.

Mr. ALLEN of Louisiana. Please do not evade the question.



Mr. BARDEN. The gentleman surely is not serious in that comment. I think the gentleman is a very reasonable and very able man. I say the board is to act in an advisory capacity for the simple reason that I believe it will be more acceptable in the minds of the veterans of this country to know that they had a board selected from the various levels of education and from the various departments, the Navy Department and the War Department and from the Selective Service, and those folks that had to do with the initiation of this program and in addition to that they would come from the different regions of the country to see that no particular section in this country put its color on the program. It is the most democratic provision we could think of.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman indulge me one further question?

Mr. BARDEN. Yes; I will.

Mr. ALLEN of Louisiana. Before the boy went to the Army he had no board anywhere to tell him anything.

Mr. BARDEN. He certainly did.

Mr. ALLEN of Louisiana. Why should he have a board now? If he took care of himself in the fighting through Guadalcanal and anywhere else, he certainly ought to have sense enough to know how to do a thing then, when he gets back.

Mr. BARDEN. I say again the advisory board is not absolutely necessary. But we thought it advisable—we advise with people to write legislation and I think it wise for administrators to advise with people in administering a law of this kind—you are the one who is advocating putting a one-man director over the veteran, to pass on his conduct, his efficiency, and so forth. Not me; I want him to be accountable to the same folks I was accountable to when I went to college, to the officials of the institution. They were the ones who passed on my conduct, grades, and so forth, not an administrator in Washington or his traveling inspectors.

Mr. JUDD. Mr. Chairman, will the gentleman yield for me to comment on that particular question?

Mr. BARDEN. Yes; gladly.

Mr. JUDD. You say under the committee bill the Veterans' Administrator is going to be able personally to inaugurate and set up and handle every detail of this program. He is no expert in education. He has got to go out and set up a board. He will do it under your bill. We have tried to spell out what this board is going to consist of so it will represent all levels of education and training.

Mr. ALLEN of Louisiana. We are leaving that to the schools.

Mr. JUDD. We would like it to be spelled out a little bit more in the legislation as to who the personnel of the particular board is to be and their qualifications, rather than turn it over to one particular man and then have somebody like Mr. Biddle be able to read almost anything into it, or set up any kind of board.

Mr. ALLEN of Louisiana. Let me ask the gentleman if he is willing to leave it to the student, to himself, and the school and the State, that is what we are proposing to do.

Mr. JUDD. So the purpose of this provision on page 18 that this advisory council is to advise the Director with respect to matters relating to the effective inauguration and operation of the program of education and training has nothing to do with the curriculum. It helps the Director to set up a program; he has a man from the Army and Navy there and they will merely advise about an educational program which once started is almost certainly a thing which will never operate, maybe it would not operate. If there is that much objection to it, I would agree to striking it out, but it seems to me it would be helpful rather than harmful.

Mr. BARDEN. When the gentleman from Louisiana begins to talk about leaving matters pertaining to this legislation to the student, the school, and the State, he is joining our ranks. Let me say that board was set up because we felt that it was about the wisest kind of a democratic set-up we could think of. We did not give them any authority. We simply give them an advisory capacity and we knew good and well, and the gentleman from Louisiana knows good and well that the Administrator of Veterans' Affairs is going to follow the same wise policy he has always followed. When he is setting up a program in this country he calls in advisers and we thought that the Congress might not be amiss in charting the kind of advisers we want. For that reason it is not a harmful but a helpful provision. If that is the worst thing you can find against this bill, then it is lily white.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. BATES of Massachusetts. Is this reference you make to the setting up of this board the only distinction between the bill you mentioned and the committee report? If it is, why is it not pertinent to this issue to give us the difference between the two bills so that we may have a thorough understanding on this question?

Mr. BARDEN. I was trying to get to that when I became tangled in this series of questions.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. SCRIVNER. In the first place, if this board is so useless and so inutile, why pay \$15 a day for them to sit and do nothing?

The second question is, after these men get back, after 3½ to 5 years, they will be fed up with Selective Service and the Army and Navy.

Mr. BARDEN. Yes, and let me tell the gentlemen this. God bless them if they fight for 5 years. They will be fighting the dictators of the earth and they will despise everything that even smacks of dictatorship.

Mr. SCRIVNER. That is exactly the point I made.

Mr. BARDEN. They will despise everything that even smacks of dictatorship, whether it be a bureaucrat in Washington or anybody engaged in a Government activity. You can take that thought home with you tonight.

Mr. SCRIVNER. That is exactly the purpose in giving them their choice.

Mr. BARDEN. I fail to see where S. 1767 gives the veteran any choice; you simply put him under a one-man dictatorship. We do not believe in this streamlined government. That is what Hitler has, and he does not have a Congress either. He says it is in the way and it is too much trouble. He does not want advisers. I do not like governments or government programs ruled and run by one man, and especially is that true when we enter the field of education.

Mr. SCRIVNER. I am glad to hear that expression, and has been stated, in view of the things you have mentioned, that is exactly the thing that has motivated the members of the committee in striking out paragraph 7, because we are bound and determined that these agencies in Washington will have just as little power and as little say-so as is humanly possible.

Mr. BUSBEY. Mr. Chairman, will the gentleman yield briefly?

Mr. BARDEN. I yield.

Mr. BUSBEY. I would like to have the gentleman clear up one or two points.

Mr. BARDEN. Well, now, let us get back to paragraph 7.

Mr. BUSBEY. It is right on this particular subject. After all is said and done, this is a veterans' bill. Your bill has the Secretary of War, the Secretary of the Navy, the Selective Service System, the War Manpower Commission, and all these others in this advisory council. What right have the Secretary of War, the Secretary of the Navy, and these others to dictate to these men after they have been discharged from the service? They are no longer in the service.

Mr. BARDEN. Now, wait a minute. The gentleman is entirely too intelligent to make a statement like that. I know what the gentleman is trying to do. He is trying to make a wolf out of a lamb. Who said anything about this advisory council being a dictator? Let me tell you this, that every one of these programs has been charted by advisory committees. If there is an advisory committee put in there, this Congress will put it in there, and the gentleman has seen 500 of them operating in Washington that the Congress never put in, never exercised any right to put in. It is I think a safeguard. The gentleman is on the wrong side of the picture if he says he wants to strike out "safeguards." Now, what is the other question?

Mr. BUSBEY. I do not think the first one has been satisfactorily answered. I believe the gentleman from North Carolina [Mr. BARDEN] is losing sight of the fact that this is not an education bill, but this is a veteran's bill, dealing purely

with trying to give veterans an education. We are not trying to set up various curricula for these schools and colleges.

The CHAIRMAN. The time of the gentleman from North Carolina [Mr. BARDEN] has expired.

Mr. RANKIN. I yield the gentleman 15 additional minutes.

This is a bill which seeks to provide education and training for approximately 1,000,000 men and women who have honorably served their country. Call it what you may, I have not lost sight of the facts involved.

Mr. BARDEN. Now, if you will just bear with me a minute, I want to read the rest of the provisions in paragraph 7. I have just read the provision which enabled the Administrator to build colleges, as far as that concerned, to direct and prescribe, or prescribe and provide, as you want to put it. Then they make paragraph 6 a part of it, and it begins as follows:

The Administrator is hereby authorized to make such rules and regulations as may be necessary in order to promote good conduct and cooperation on the part of persons who are following courses in vocational rehabilitation provided in this part.

And it is made a part of this law by the reference contained in paragraph 7 of S. 1767.

And then it goes on and deals with penalties which are set up in this paragraph, but I do not understand how they are going to apply the penalties.

Then the seventh paragraph is also made a part of this S. 1767:

The Administrator is hereby authorized to make such rules and regulations—

They are strong on rules and regulations—

as may be deemed necessary for the granting of leaves of absence to those following courses of vocational rehabilitation—

And so forth; and then it sets out the length of time, and so forth.

Now, I cannot understand, to save my life, how this bill could have been minutely discussed and dissected without discovering such glaring invasions of the school system of America as that.

In searching for further light, that paragraph 7 looks harmless, and as they intimated, they are going to strike it out. Maybe they will, but I think the best thing to do is to remove the section and I believe the House will reach that conclusion. Some of the committee members have already indicated the need for several amendments to it until it has about reached the point that they should give it the same treatment the farmer gave his Ford car, jack up the radiator cap and run a new car under it.

There is another aspect to this provision of giving the Federal agency authority to prescribe suitable courses. With a million men involved it virtually gives this central agency control over what will be taught in our schools. I do not believe in giving that kind of authority to any Federal agency. It is not democratic.

Mr. SCRIVNER. To what language is the gentleman referring?

Mr. BARDEN. The language of "prescribing and providing," and "making regulations and controlling," and line 4, page 53, "upon satisfactory completion of such course of education." Satisfactory to whom? The Administrator; also lines 20 through 23, page 53 of S. 1767, "That any course of education or training under this part may be discontinued at any time if it is found by the Administrator that the conduct or progress of the veteran is unsatisfactory," and so forth. It is not democratic and would not be respecting the traditional State and local control of education. The institutions are in the best position to pass on the conduct and progress of a student, not some bureau in Washington City. And let me repeat that paragraph 7 is loaded with more dynamite than any paragraph I have ever seen written into a bill, especially with such a harmless appearance.

Something has been said about the veteran having the right to enroll in a school of his choice. I believe their language reads: "A veteran eligible under this part may enroll in any school or institution of his choice which will accept him for educational training."

That sounds fair and reasonable. It must be remembered, however, that the veteran is subject to the limitations as to the kind of course he may take. He is further automatically limited to schools which provide a course which the central Federal agency decides will be suitable for him.

Mr. ALLEN of Louisiana. Will the gentleman yield? Excluding paragraph 7, which we are going to strike out, will the gentleman take the balance of the bill and tell us where that language appears?

Mr. BARDEN. Let me say to the gentleman I am still talking about the bill as you have written it. You cannot say to this House whether this paragraph 7 will be stricken out or not or what you will put in its place. Your committee came in here saying it was a good bill as written; now you propose to cut out about three paragraphs of law including the sections referred to. I still cannot understand how it got in for even a short stay; but it is in and tied up with practically every section of the bill, and not only must be considered as a part of the bill, but is a part of it. The gentleman will have to let me proceed.

If the Administrator decides that some course, such as a course in shoemaking or agriculture, is unsuitable, then it goes out of the window, for as the bill is written he has the power to "prescribe and provide" or as is set out in lines 20 to 23, page 53, of S. 1767, the Administrator may decide that the veteran's "conduct or progress" is unsatisfactory and throw him out.

The question of tuition has been discussed. A limit of \$500 has been fixed. How that applies I am hardly able to say. The bill refers to "each regular school year." Most of the colleges are now on an accelerated program and

probably will be for the duration of the war; but there are some things in that paragraph that are bad. It reads:

The customary cost of tuition, laboratory fees, books, supplies, and equipment, and other necessary expenses exclusive of any charge for maintenance.

I do not know what "supplies and equipment" are. The Committee on Education bill, H. R. 3846, is perfectly clear on that subject. It reads as follows:

(b) The Administrator of Veterans' Affairs, pursuant to appropriate certifications of facts by the Director, shall also provide for the payment by the United States of such customary tuition, laboratory, library, health, infirmary, and other similar fees and charges, as may be recommended by the State department of education and approved by the Director, to approved educational or training institutions furnishing education or training to war-service persons, whether on a full-time or part-time basis, so long as such persons maintain regular attendance and are in good standing at such institutions, but in no event shall such payment with respect to any person exceed the rate of \$500 per ordinary school year of 36 weeks: *Provided*, That such payments shall not include charges for travel, board, lodging, or other living expenses, and no payments shall be made to business or other establishments furnishing apprentice or other training on the job. If any such institution has no established tuition fee, or if the established tuition fee of any publicly supported institution or private institution exempt from tax under section 101 (6) of the Internal Revenue Code, shall be found by the Director, after recommendation of the State department of education of the State in which such institution is located, to be inadequate compensation to such institution for furnishing education or training to war-service persons, the Director is authorized to provide for the payment with respect to any such person of such compensation as he may find to be fair and reasonable, but not to exceed the rate of \$500 per ordinary school year of 36 weeks.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield at that point?

Mr. BARDEN. Yes.

Mr. MURDOCK. I greatly fear the language of the bill on page 55, lines 3, 4, and 5, if enacted into law, will discriminate against State colleges and universities who charge no tuition, discriminate against them in favor of other schools that have a definite tuition charge which covers all expenses.

Mr. BARDEN. Of course, that is true. Such detail provisions, those things that will cause so much trouble if left out as they are in S. 1767, are spelled out in the bill presented by the Committee on Education. It provides for the realization of the objective we seek but avoids these pitfalls that the Administrator will find from the time he begins to administer this act. I will read the provision which deals with the tuition. We all know there are publicly supported schools and there are schools maintained by the church; also there are privately endowed institutions. Some of them do not even charge tuition, yet we should not impose this burden upon them without compensation.



Mr. CUNNINGHAM. Does the gentleman's bill exclude those schools or include them?

Mr. BARDEN. It includes them.

Mr. CUNNINGHAM. Who determines which ones shall go in?

Mr. BARDEN. The States—the States and not an administrator in Washington—the States which for 150 years have been able to give the public appropriate information about their approved, accredited, and qualified schools, are going to make that determination. Certainly they are more interested and know more about it than some far-away Washington administrator. The language in H. R. 3846 is as follows:

(f) The term "approved educational or training institution" includes any institution specified below which has been approved by a State department of education: Private or public elementary, secondary, and other schools furnishing education for adults, business schools and colleges, scientific and technical institutions, colleges, vocational schools, junior colleges, teachers colleges, normal schools, professional schools, and universities, and including business or other establishments providing apprentice or other training on the job under the supervision of (1) an approved college or university, (2) any State department of education, (3) any State apprenticeship agency, (4) any State board of vocational education, (5) any State apprenticeship council, (6) the Federal Apprentice Training Service established in accordance with Public, No. 308, Seventy-fifth Congress, or (7) any agency in the executive branch of the Federal Government authorized under other laws to supervise such training.

Mr. CUNNINGHAM. Why then is there set out at the bottom of page 22 rules and regulations which put the State departments of education under the control of a Federal agency?

Mr. BARDEN. We do not put any control of a Federal agency over them except what we have written out and spelled out in this bill, and that is exactly in line with what the armed forces committee on post-war educational opportunities for service personnel recommended to the President who in turn passed the recommendation on to Congress. Therefore such provisions as the following was included in H. R. 3846:

The Administrator of Veterans' Affairs pursuant to appropriate certifications of fact by the Director, shall also provide for the payment by the United States of such customary tuition, laboratory, library, health, infirmary, and other similar fees and charges as may be recommended by the State departments of education and approved by the Director, to approved educational or training institutions furnishing education or training to war-service persons whether on a full-time or part-time basis, so long as such persons maintain regular attendance and are in good standing at such institutions.

Now, we do not want the Administrator sending inspectors to see whether the student is in good standing, whether he is attending classes, and whether he is behaving himself. The institutions have always been able to do that themselves. We have enough inspectors and

inquirers running around as it is without turning loose another batch.

But in no event—

Now, listen to this—

But in no event shall such payment with respect to any person exceed the rate of \$500 per ordinary school year of 36 weeks.

H. R. 3846 is specific; it does not leave these things hanging in the air.

Provided—

I want the Members to listen to this—

Provided, That such payment shall not include charges for travel, board, lodging, or other living expenses, and no payments shall be made to business or other establishments furnishing apprentice or other training on the job. If any such institution has no established tuition fee, or if the established tuition fee of any publicly supported institution or private institution exempt from tax under section 101, subsection 6, of the Internal Revenue Code, shall be found by the director, after recommendation of the State department of education of the State in which such institution is located, to be inadequate compensation to such institution for furnishing education or training to war-service persons, the Director is authorized to provide for the payment with respect to any such person of such compensation as he may find to be fair and reasonable, but not to exceed the rate of \$500 per ordinary school year of 36 weeks.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. RANKIN. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield.

Mr. SCRIVNER. I understood the gentleman from North Carolina to say that he was trying to take this away from any Federal bureaucracy, yet in the language he has just read, the power to approve these tuition fees, laboratory fees, and so forth, is given to the Director. The language on page 21 of the gentleman's bill reads:

And approved by the Director.

Mr. BARDEN. Let me read something to the gentleman in that connection.

Mr. SCRIVNER. Let me first put the other proposition, for it goes right along with the first one. Then when it comes to paying the schools some sum up to \$500 the provisions of the gentleman's bill still retain the power of decision back here in Washington as to what is fair and reasonable.

Mr. BARDEN. Yes; but it is recommended to them.

Mr. SCRIVNER. But if he is going to adopt the recommendations of the State agency why give him any discretion whatsoever?

Mr. BARDEN. Let me read the gentleman something that comes from the very able committee appointed by the President which made its study and recommendation to the President:

Administrative arrangements. In considering administrative arrangements for the program it proposes your committee has had as its primary objective the provision of arrangements which will get the program

carried out with an absolute minimum of administrative overhead. In addition it has been governed by the conviction that in the post-war processes of education for ex-servicemen the traditional State and local control of education should be fully protected and that the Federal Government should not inject itself into these processes beyond the degree—

Now, listen—

beyond the degree necessary to assure that the funds it may make available are providently spent. The committee has always borne in mind, moreover, the fact that the educational institution itself in the final analysis—

Listen—

must be responsible for the most important part of the program, the actual guidance and teaching of the former serviceman.

Mr. SCRIVNER. There is no argument on that, but the gentleman has not yet answered the question I asked about the power and discretion of the Director to find what is fair and reasonable.

Mr. BARDEN. If there is no argument over the recommendation just read, the gentleman must be for H. R. 3846, for after all, Mr. Chairman, this is Federal money that is being spent and we cannot take the bridle off altogether.

There must be a controlling hand somewhere in matters of this kind and H. R. 3846 provides for recommendation of the State department of education of the State in which such institution is located. S. 1767 simply leaves them out completely unless they have an established tuition fee. This recommendation comes up from the State as a recommendation to the Director and he has a right to find what is a reasonable tuition. There must be a reasonable tuition. The Administrator, with the recommendation of the State department of education, can find what is a reasonable tuition to pay. How in the world could you restrict it any more? What the gentleman's G. I. bill does is, it just takes the bridle off and puts virtually all power in the administrator, but overlooks all church, State or endowed schools, and apprentice schools unless they have an established or customary tuition fee.

Mr. SCRIVNER. Oh, no. I would not do that any more than the gentleman would.

Mr. BARDEN. Let me read you from the President's message. It is a clear-cut statement. This is from the President's message to Congress of October 27:

While the Federal Government should provide the necessary funds and should have the responsibility of seeing that they are spent providently and under generally accepted standards, the control of the educational processes and the certification of trainees and students should reside in the States and the localities.

If that is not sound American doctrine then I do not recognize it when I see it.

Mr. SCRIVNER. I think we are in accord on what is there.

Mr. BARDEN. Then we are getting closer together, but you cannot sleep

with that bill, S. 1767, tonight if we do see eye to eye.

Mr. SCRIVNER. I have been sleeping with it now for six weeks and I expect to stay with it.

Mr. MICHENER. Will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Michigan. But before I do let me say to the gentleman from Kansas [Mr. SCRIVNER] that he has already declared his intention to abandon a part of his bedfellows, to wit, that powerful paragraph No. 7.

Mr. MICHENER. Much has been said about paragraph 7 that seems to be the nub of the dispute so far as the Barden bill is concerned. As I understand it, the committee has agreed to and will offer an amendment to strike out paragraph 7. Assuming that is correct, will the bill then be opposed by the gentleman from North Carolina, chairman of the Committee on Education?

Mr. BARDEN. Let me answer your question.

Mr. MICHENER. A great many Members over here are in sympathy with the gentleman's position and I have been trying and they have been trying to clarify the situation to find out what the position is. If paragraph 7 comes out then does the bill meet the specifications that the gentleman advocates? If it does, then I think talk is water over the dam.

Mr. BARDEN. Let me say to the gentleman that I appreciate how he feels. He may think that probably would correct the situation. They have talked about striking out paragraph 7. If you strike that out you still have this one fundamental principle left, that the whole Committee on Education is solemnly opposed to, and that is in S. 1767 and I think its supporters will agree with me. It set up one Director in Washington and he must of necessity be director of that program, a dictator of that program, so to speak, because he has no one else there to rely on and no one, or no set-up provided to share in the power control or supervision. There is no alternative for him, he must be the dictator, and he is the Administrator of Veterans' Affairs. When you remove paragraph 7 you have removed some of the most objectionable features I have ever seen written into a bill; at the same time you have simply taken one link out of the bill which its supporters and the Veterans' Committee thought was necessary to make it a complete bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ALLEN of Louisiana. Mr. Chairman, I hope the gentleman will conclude. I yield him 5 additional minutes.

Mr. BARDEN. Mr. Chairman, there is a fundamental difference between the two bills and I am glad to get down to them. Here is the set-up with H. R. 3846. Under the Veterans' Administrator, and below him this Director of Educational Services, there will be approximately, we anticipate, 1,000,000 to 1,250,000 people. It is bound to take the time of a man, whether you call him

Director or whatever you call him. All right. We recognize the State department of education in the States to give a list of the approved schools and training institutions, and so forth. We let the veteran deal with the colleges, schools—private and public. The service person enters and attends the college, school, or training institution of his own choice, provided the school finds him qualified and acceptable.

The college or school is responsible for his conduct, it is responsible for his progress, it is responsible for his attendance, whether it be high school, college, or an apprentice school, and we do provide for apprentice schools. They make their report on the student's conduct, progress, and efficiency to the State departments of education, which in turn transmits them to the Director. The duties and powers of the Director are limited and specifically prescribed in H. R. 3846, as well as the duties, authority, and so forth, of all other agencies or persons connected with the program.

In S. 1767 the Administrator in Washington is the one who looks after the man's conduct. He is the judge of whether he is making satisfactory progress; he is the judge of whether or not the veteran is entitled to go to school for another year. He may add schools which the State says are not good. He may put a student out if he is not satisfied. S. 1767 provides that a person shall go to school after the first entrance. The veteran goes as long as he or she has served in the Army, less 3 months and less the training he or she has had under the Army specialized-training program or Navy college-training program or at either of the service schools. Much of the training in the Army training schools was on radar and other things that are absolutely useless to the person in peacetime. If these veterans stay as long as they were in the Army, there would not be a day in the year but what there would be a flock of those boys going out because they had served their time. Some 6 months, some 8 months, some 10 months, some 15 months, some 7 month and 13 days. How on earth the educational institutions will be able to keep up with them, I am unable to say, but that is what S. 1767 prescribes. In H. R. 3846, if they served 6 months or served less than that, if they saw sea duty or oversea duty, and many of them have and will in the future, then they get the first year of 54 weeks. That 54 weeks was thought out because of the way the colleges divide their semesters and their terms. If you made it 52 weeks, you would simply cut off the 2 weeks' examination. If he makes satisfactory progress and the institution thinks that his conduct, his progress, and his work are satisfactory, then he goes for another year. That gives to everybody who passes their first year's work and who conduct themselves properly an additional term, which makes 108 weeks.

We thought in view of the fact the line must be drawn somewhere that that was about the fairest disposition we could make of the matter. That would be a

total of 108 weeks, which would give him a 2-year accelerated course, as all of the colleges are now practicing. After this war I am inclined to think every college in the country will be on a straight time year-round schedule until this educational deficit is filled or to some considerable extent caught up. So when you remove paragraph 7 you have not removed the objectionable features of S. 1767 because it is still a one-man program here in Washington. The very theory of the bill is objectionable; you cannot make it anything else because you have not provided for anything but a straight one-man controlled set-up.

It is a one-man directorship and he can make it rather strong. The educational people of the country realize that a million or a million and a quarter men will be coming into their schools, and you give to one man the power to pay and the power to direct and the power to say when a man is behaving himself—the power to say when progress is or is not satisfactory and when he should go out. These powers along with his regulatory powers, and so forth, they simply cannot see anything in that but an invasion of the State's prerogatives and rights, and the orderly conduct of their school systems as they have enjoyed it for 150 years, especially since there will be probably more than a million participating in this program. I know if there is anything fixed in the hearts of the people of this country, it is that we want our school system unmolested from Washington.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman with the understanding he will yield a minute to me.

This is very interesting to me, but the gentleman, I think, forgets that the Administrator today has special men for the insurance claims, special men for the medical section, and special men for vocational education work. That is all under the Director. I have never seen a sick veteran or well veteran, or soldier or sailor who does not prefer to have it administered by the Veterans' Administration. The Veterans' Administration knows their problems. They are following the education that they are taking in the Army today. They are keeping up with it. It does not seem to me that that interferes in any way with State rights. It gives the men more opportunity to go to the school, large or small, that they want to go to.

Mr. BARDEN. Let me just say this in reply to that. I think one of the great problems and one of the biggest things we must look forward to is fitting the veteran back into normal society, as a normal human being, and not keep segregating him and making him feel he is a different class of citizen. Let him go to a school just like any other boy, be a part of the school system, and operate.

It is true we do have hospitals for the disabled, institutions for vocational training, and so forth, but this is the first



time that we have taken a general hold of the educational system of this country proposing to take charge of over 1,000,000 students, and that is where this is coming from, I think the gentlewoman from Massachusetts would agree with me. I think we are all interested in the same objective.

Mrs. ROGERS of Massachusetts. Surely.

Mr. BARDEN. This bill—H. R. 3846—will give the boys the training, and the gentlewoman's bill would probably do the same thing if General Hines lives, and I hope he does. But I am inclined to think that while we have a most excellent and delightful Administrator presiding over the Veterans' Administration now, he has no more assurance of life than you or I. We must write a Federal law, and I think it is our responsibility to safeguard our institutions and our educational system against the possible invasion of some mar who might not be as discreet and as competent perhaps as General Hines.

Mrs. ROGERS of Massachusetts. May I say that the Veterans' Administration bill, operated as we wrote it in the Committee on World War Veterans' Legislation, will protect the State rights much more from the Federal Government than does the bill proposed by the gentleman from North Carolina.

Mr. BARDEN. I cannot agree with the gentlewoman. There is not one vestige of protection of States' rights or institution rights. They are simply ignored and the Administrator featured, and if paragraph 7 remains in the bill it will be a bureaucratic bill of the very worst type.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. In the gentleman's bill there is provided a list of accredited schools which is submitted by the various States. As I understand it, the other bill also provides for a list submitted by the States, but it provides that the man here in Washington, the head of the Veterans' Administration, can add other schools to it. Does the gentleman have a similar provision in his bill?

Mr. BARDEN. No. Do not confuse the word "accredited" with "approved." H. R. 3846 uses the term "approved."

Mr. WRIGHT. Suppose a veteran wanted to go to a private school, for instance, or possibly some trade school.

Mr. BARDEN. The gentleman understands that we cover all private, trade, and apprenticeship schools.

Mr. WRIGHT. Yes; but you leave the designation of those schools entirely up to the State board of education, and if the veteran wanted to go to one of those schools that was not on your list, he could not do it very well, could he?

Mr. BARDEN. The State authorities know more about the reputable schools inside its borders than any administrator in Washington will ever know. I had rather trust my State set-up any day before I will some administrator here in Washington. So will the veterans, the

educational folks, and the people in general. Here is a telegram that just came in from the gentleman's very distinguished Governor of Pennsylvania:

Believe that veteran aid bill should be so amended vesting the selection of educational institutions and other administrative matters in State agencies.

I know there has been a lot of discussion about these things, but that just came in since lunch.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. I believe the gentleman has made a splendid contribution to the discussion today, and I believe it would be a splendid thing if the gentleman would extend his remarks and set forth the essential differences between his bill and the bill that the committee reported in order to permit the Members who were not able to be here today to have the opportunity of reading what he had to say in that respect.

Mr. BARDEN. I will say to the gentleman I will try to do that.

The ideas of the two bills are just different in this respect. One is, we build our structure on the State government, and the other, S. 1767, builds from the top down.

Mr. DURHAM. Mr. Chairman, will the gentleman yield?

Mr. BARDEN. I yield to the gentleman from North Carolina.

Mr. DURHAM. Can the gentleman give us the difference in the cost of bill H. R. 3846 and S. 1767? The gentleman from Mississippi [Mr. RANKIN], I believe, gave some estimated cost of S. 1767.

Mr. BARDEN. I have not been able to get any estimate of the total cost of this program that I regard it as being a safe estimate, because it is all a guess, and my guess is as good as anyone else's. But I do not see one bit of difference.

I do not see where H. R. 3846 should cost a cent more than S. 1767, if as much. In H. R. 3846 the States pay one-half of the administrative cost. In H. R. 3846 the State institutions, the colleges, the high schools, the trade schools, and the private schools are their own truant officers. They do their own investigating. They do their own passing upon the grades, and so forth. In S. 1767 all of those duties are placed on the Administrator, and if he does not have inspectors, he cannot keep up with it, and if he does have them, he should not be sending them into my State. Does that answer the gentleman's question?

Mr. DURHAM. The gentleman from Mississippi arrived at some cost on the other bill, and I wondered if the Bureau of Education could not arrive at some cost on H. R. 3846.

Mr. BARDEN. I will say to the gentleman that I do not know anything about the Bureau of Education. The Bureau of Education did not write this bill. This is a committee bill.

Mr. DURHAM. I did not mean that, of course. The gentleman consulted the

Bureau of Education in writing the bill, did he not?

Mr. BARDEN. No; I did not even do that.

Mr. DURHAM. The gentleman did not?

Mr. BARDEN. No. There is some language from the lips of nearly every member of the committee in this bill.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield to the gentleman from Iowa [Mr. CUNNINGHAM] 40 minutes.

Mr. CUNNINGHAM. Mr. Chairman, I first wish to congratulate the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans' Association, the Order of the Purple Heart, as well as all other organizations and individuals who have spent their time and effort that brought forth and sponsored this bill. I think it was splendid on their part. They showed their patriotism and a recognition of the rights of the men and women who are defending our country for us.

I also wish to congratulate the Congress for considering it, the members of the committee that I have the honor to serve with, particularly our chairman, and our ranking Member the gentlewoman from Massachusetts [Mrs. ROGERS]. Since coming to Congress I have never seen a committee or served on a committee that has worked harder and more conscientiously than this committee. We took this bill as it came to us from the Senate, went over it line by line, paragraph by paragraph, and studied it with one thought in mind: How to bring before you—for your consideration—the best bill for the veteran; a bill that would give him the best when he gets home. There is no pride of opinion on the part of anyone, insofar as the veterans' committee of the House is concerned, in regard to this bill, or any detail of this bill. Your committee in presenting this bill, has done so after 15 full days in executive session, after studying every proposition that has been presented on the floor this afternoon, and accepting it or discarding it.

The result of your committee's effort and the result of its total labors is what is in its opinion the best bill for the veteran, and nothing else.

It happens that the Committee on Education, which is sponsoring the bill H. R. 3846, and which I understand will offer it as a substitute for title II of the committee bill, is seeking exactly the same goal that your committee is seeking. We are all traveling toward the same point, namely, to give the veteran the most satisfactory and the best education we can give him with the least interference with and regulation of the veteran, as well as the least amount of control from the seat of our Government here in Washington, and at the same time give as much control to the States as it is

possible to give and be efficient and effective in the results we are seeking to obtain for the veteran. That is the goal of both committees.

I said a moment ago we have no pride of opinion. If it is brought out here that some other wording will be better than the wording in the committee bill, I am sure the committee will accept that wording. All we want to be sure of is that there will be as little bureaucracy and as little control as possible, and at the same time give the veteran a maximum of education. I am sure I am speaking for each of the 21 members of the committee.

While I am on that subject, Mr. Chairman, I should like to say a word about the membership of this committee. At least three-fourths of them are veterans of the last war. Some of them have sons in this war. One member of this committee is a past national commander of the Veterans of Foreign Wars. Four members of this committee are past State commanders of the American Legion. If the Members of this House think for one minute that that committee is anxious to or is trying to get through a bill affecting the educational provisions of this measure that will take away from the States the rights and take away from the veteran freedom in securing his education, then they just do not understand the make-up and the membership of the House Committee on World War Veterans' Legislation.

Mr. Chairman, there are a number of good features about this bill that have not yet been touched on. Because I probably shall not have an opportunity to speak twice on the bill, I want to start in at the beginning and take up the bill title by title, speaking briefly on some of them and longer on others, in order to give you a full picture of the bill known as Senate 1767, which has been amended by your committee by striking all after the enacting clause and substituting its own version.

First is the question of the need for the legislation. That has been recognized by the various veterans' organizations that I referred to in the beginning. I wish to say here that these boys and girls, these men and women who are fighting for us, are doing so willingly. They did not have anything to say about the rate of pay. They are not quarreling about the long hours they have to work or that they have to fight. They have nothing to say about where they go. Therefore, your committee in considering this bill took those questions into consideration insofar as they could and amended the bill as it came to us from the Senate to give a greater recognition to the sacrifice and the service that the veterans are performing for us.

Title I of this bill, in sections 100 and 101, provides for hospitalization claims and procedure in securing those claims. Section 101 declares that the Veterans' Administration is an essential war agency, which has never yet been determined by this Congress, and subject only to the Army and the Navy. It has priority over all material necessary for the

hospitalization, treatment, and care of the veteran.

The bill further authorizes and directs the Veterans' Administration to complete additional hospital facilities and to make agreements for the use and the transfer of Army and Navy hospitals. General Hines testified before our committee that many of these hospitals, particularly in the States, belonging both to the Army and the Navy, will no longer be needed as much by them as they are now. As the men move out of the United States he wants to be able to enter into negotiations with the heads of the Army and the Navy to take over those hospitals for the benefit of the veterans who are discharged and under the control of the Veterans' Administration.

Sections 104 and 105 deal with claims, waivers, and prosthetic appliances, and education in the use of prosthetic appliances. In regard to claims, when a soldier is discharged, according to the terms of this bill, in the first place he cannot be discharged until his papers are ready and his discharge is ready. Then he can file a claim, if he wishes to, but he is not required to, he is not compelled to. All he needs to do is to state that he does not want at that time to file a claim. Then his rights are preserved for him so that he can file a claim later if it develops that he is entitled to do so.

Your committee, in order to make sure that the veterans of this war will not suffer from the signing of waivers as did the veterans of the last war, wrote into this bill an additional provision. In order to explain that, I want to take you back 25 years. Many of you will recall that when the boys got out of the service in 1918 and 1919 they were asked to sign a statement that they were in good health and good physical condition and, as I recall, that they were in as good condition as when they entered the service. In their anxiety to get home, the boys signed those waivers. They were told that they had to in order to get their discharge. Later some ailment developed that they could trace as service connected, and that waiver stood as a bar to their rights.

Your committee in its hearings found that these statements are being signed by the boys and the girls today when they are discharged. We did not want that. In order to protect them, we added a provision to this bill to the effect that in the event any member of the armed forces shall have signed one of these statements or papers either heretofore or hereafter, it will be null and void and of no force and effect and cannot be used against the soldier or as a bar to his rights at any time.

The provision of the bill dealing with prosthetic appliances has been well explained by the gentleman from Massachusetts, and I shall not enter into it.

I shall not dwell long on title II of the bill. That has to do with the permission primarily of representatives of the veterans' organizations such as the American Legion, the Veterans of Foreign Wars, the D. A. V., the Order of the

Purple Heart, the Red Cross, and other recognized organizations that look after the interests of the veteran. This provision authorizes and directs the Veterans' Administration to make suitable quarters or suitable rooms or conveniences in each veterans' facility throughout the United States available for a representative of these recognized organizations so they can be ready with their representative to aid the veteran either in making application for the education provided for in title II, or the loans provided for in title III, or any other aid provided for in this bill or any legislation in the past or enacted in the future. This assures that these authorized representatives of these organizations will be given recognition in their work for the veteran.

Chapter III deals with a reviewing authority. I have only one thing to say in regard to that. It sets up a reviewing authority for a veteran who has been discharged other than by act of a general court martial.

This bill provides all those who are discharged under other than dishonorable conditions, may benefit under it. However, there are some discharges in the armed forces today taking place that are not the result of a general court martial. Where the discharge is for that reason or where the veteran under the provisions of the bill, such as the conscientious objector, is not entitled to the benefits and has not been dismissed from the service as the result of a general court martial, he may go before the reviewing board and have his discharge reviewed and his rights reinstated if his record shows that he is entitled to it.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I will be glad to yield.

Mr. KEARNEY. With reference to these boards with reviewing authority will a man who receives his so-called blue discharge come under that category?

Mr. CUNNINGHAM. He would. That is a very wise provision, I think, of the bill.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes.

Mr. BARDEN. There is a difference in the language employed in H. R. 1767 in reference to the discharge of veterans and in the language used in H. R. 3846.

Mr. CUNNINGHAM. Are you dealing with education only now?

Mr. BARDEN. Yes.

Mr. CUNNINGHAM. I had not talked about that feature yet. I was talking about the previous provisions of titles of the bill which your bill has nothing to do with.

Mr. BARDEN. I thought this term "discharge" was running all the way through.

Mr. CUNNINGHAM. No; it is only in this one section.

Mr. BARDEN. Well, then I will not ask the gentleman to yield.



Mr. CUNNINGHAM. I will say to the gentleman in answer to that that we had quite a bit of discussion, and if there is any member of the Committee on Military Affairs here I would like to have them know and have the benefit of what the committee brought out when representatives of the Army and Navy were up there about the character of the discharges being granted today. There is a white discharge which is an honorable discharge. There is a blue discharge. And then there is a yellow discharge which is dishonorable. But the white discharge, the honorable discharge, has on the back of it a statement of the soldier's record and on the last line is written "character," and we find they are putting on the line after "character" the words "good, bad, fair, satisfactory, or excellent." It is the opinion of your committee that every soldier who is entitled to an honorable discharge is entitled to have an excellent character rating or else it is inconsistent. And the only one who is not entitled to an excellent character rating is the one whom it has been determined is not entitled to it by the findings of a general court martial.

Mr. BARDEN. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes.

Mr. BARDEN. We dealt with that. The language used in your bill is, "who is discharged or released therefrom under honorable conditions," and realizing the distinction they are making and the argument that might arise on that, we employed the language, "who is discharged or relieved of active service and conditions other than dishonorable."

Mr. CUNNINGHAM. I do not think there is much difference between the gentleman's bill and the committee bill in that regard.

Mr. BARDEN. They have been giving some different interpretations to it down in the Department and that is the reason why we used that language.

Mr. CUNNINGHAM. I do not think there is much difference.

Now, I was hoping to pass the title on education and go to loans. However, in view of the statement made by the gentleman from North Carolina in regard to his bill, I do want to touch on this title on education.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. Yes.

Mr. SCRIVNER. It is a recognized fact, is it not, that during World War No. 1 there were about 400,000 or approximately one-tenth of the armed forces who made application for what we term "educational rehabilitation."

Mr. CUNNINGHAM. That is right.

Mr. SCRIVNER. Out of that 400,000 about 325,000 qualified. Then out of the 325,000, about 285,000 completed their education under the Veterans' Administration supervision. The law now proposed is that the Veterans' Administration will be doing the same thing with the disabled of this war. If the same ratio carries through, that will mean there will be approximately 1,500,000 who

will make application for education rehabilitation and about 1,250,000 who will be eligible for it and probably out of that 1,250,000, 1,000,000 will complete the courses. In other words, there will be already set up in the Veterans' Administration an education set-up.

Mr. CUNNINGHAM. That is correct. And no one knows how many veterans will take advantage of the provisions for education. Therefore it is impossible to make any accurate estimate as to what the cost of that title will be. There may be a million or five million or even more than that who will take advantage of the title on education and no one knows, one man's guess is just as good as another's, as to what the cost will be.

Now the gentleman from North Carolina said, in answer to a question by the gentleman from Kansas, that there must be a "controlling hand." I know I am correct in quoting that correctly, because I wrote it down the moment he said it. There is the nucleus of the whole thing in both of these measures. As I said in the beginning, our committee has no pride of opinion. If you can show our committee a better wording which will protect States' rights and give a minimum of Federal control, our committee will accept it. But the bill of the gentleman from North Carolina goes just as far in the other direction. I will show you why. He says there must be "a controlling hand." That is correct. The Government of the United States is going to pay the money to the colleges and universities and the schools. It has to come from Washington. Now to make the absolute irreducible minimum of Federal control that the gentleman from North Carolina thinks he has in his bill, we will have to have a set-up in Washington to send out checks to the colleges when they write in and say, "We are educating John Jones or Bill Smith, who are veterans of the last war and you owe so much money." All they would have to do when they receive that proof or that information is to write the check and send it out there for the veteran. So he is absolutely right when he says there must be a controlling hand. Your committee recognized that in drafting this bill and it left that controlling hand in the Veterans' Administration, or in the head of the Veterans' Administration, because he is the one closest to the veteran, the one who is all the time dealing with the veteran, the one who knows the veteran and the one whom all of the veterans' organizations can get after by going to one place and one point if they find he is not doing right by the veteran. Such an arrangement would not require them to run to a board or agency of 20 on the one hand and 14 or 17 on another. It leaves it in the hands of that one man. But now let us look at the House bill.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. ALLEN of Louisiana. But that so-called controlling hand does not give the Administrator in Washington any control whatsoever over what the young

man takes or where he should take it or whether he should take it.

Mr. CUNNINGHAM. Not at all. I thank the gentleman from Louisiana. Now I want to read at the bottom of page 53, paragraph 2, of the committee bill, which reads as follows:

2. A veteran eligible under this part may enroll in any school or institution of his choice, which will accept him, for education or training, and may for reason satisfactory to the Administrator, change a course or institution: *Provided*, That any course of education or training under this part may be discontinued at any time if it is found by the Administrator that the conduct or progress of the veteran is unsatisfactory.

I am going to stop right there and say that a member of our committee has been discussing that with a member of the Committee on Education, and I think probably a wording has been agreed upon between them that will make it absolutely certain that the course cannot be changed or his course interrupted or discontinued by the Administrator unless the records of the institution or the college or the university show that they are unsatisfactory and it is not worth while for the boys to continue.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentleman from Minnesota.

Mr. JUDD. I just want to say a little in amplification of the distinguished gentleman's remarks with reference to this matter.

Mr. CUNNINGHAM. I yield for a question and not for a speech.

Mr. JUDD. I mean, the reason that was taken up, was the question of the word "conduct."

Mr. CUNNINGHAM. That is right.

Mr. JUDD. If the Administrator finds the conduct is unsatisfactory, that might be stretched by some to get to the place of saying whether he voted right or not, and then again he would have over his head the threat that he could be removed if he did not do something that pleases the Administrator or if he did something that did not please the Administrator here in Washington. I hope they do that in case the bill is not substituted and that it will be corrected as suggested.

Mr. CUNNINGHAM. As I said, our committee has no pride of opinion, and if a better wording can be suggested we will be glad to adopt it.

Mr. SCRIVNER. May I make a further observation?

Mr. CUNNINGHAM. I yield to the gentleman from Kansas.

Mr. SCRIVNER. If an occasion should arise, to which the gentleman has alluded, namely, that a veteran might be put out of a school because he had not voted right, I will guarantee that there would be such a storm arise from the veterans' organizations and the Veterans' Administration that the Administrator would probably take to the tall timbers. Not only that, but this committee which has been so closely connected with the Veterans' Administration would take some proper action itself.

Mr. CUNNINGHAM. I thank the gentleman.

Now, I want to read further:

*Provided further, That the Administrator shall from time to time, secure from the appropriate agency of each State, Territory, possession, or the District of Columbia, a list of schools, or institutions equipped to supply education or training within such jurisdiction, which schools and institutions, and such additional public or private schools or institutions as may be recognized by the Administrator, shall be deemed qualified to enroll eligible veterans approved for education or training under this part.*

In explanation of that, you will notice first that the Administrator "shall." It is not "may." It is "shall secure from the appropriate agency of each State, a list of all the schools or institutions equipped to supply education or training within such jurisdiction"; and "they shall be deemed qualified to enroll eligible veterans."

It is also provided that the Administrator can add to that any others that he wants to put on that are necessary.

The reason for that is this: In my State we have an excellent college. It is an accredited college under the North Central Association of Colleges, or whatever the name is, for the simple and sole reason that it does not have a large enough endowment. Yet it was selected by the Navy for one of the best naval training schools in our entire State. It was good enough for the Navy. It was so good that the Navy wanted it and made it practically No. 1. Yet it is not an accredited school under that association, and under these rules. It has been in existence a long time. My personal experience is that graduates from that school can pass the entrance examinations to West Point and Annapolis much better than from almost any other school in my district. Yet it is not an accredited school.

As I interpret the bill of the gentleman from North Carolina [Mr. BARDEN], it would leave this matter to a State agency, and in my State that school would be barred, would not come under the provisions of his bill, unless the bureau in Washington, which he says he does not set up, comes in and says that it should.

I am getting now to the differences between the bills. We permit the Administrator of Veterans' Affairs in Washington not to take from, to change, or in any way interfere with what the State agency says the veterans can attend, but if they fail to include the school I just referred to, or if they fail to include a good business college, or if they fail to include some good private institution, which would not be accredited under these rules, or any other educational institution, he can come in and add those, but he cannot take from. He can only add to. Wherein is that setting up a bureaucracy or a dictatorship over State control?

Now, coming to the bill of the gentleman from North Carolina on the same point, they set up an agency in Washington with 17 or 20 members, and they provide for a chairman. And who is the

chairman? The same head of the Veterans' Administration. They have the Chairman of the War Manpower Commission, they have the Chairman of the National Board of Education, the Secretary of War, the Secretary of Agriculture, the Secretary of the Navy, and they go on and on. They would have to come in. Now the only difference is we leave it to the Veterans' Administration. They give it to the Veterans' Administration, but they put up another bureau around him, to be paid \$15 a day. Yet they say they are giving State's rights.

I now yield to the gentleman from North Carolina.

Mr. BARDEN. First, let me correct the gentleman's last statement, and then I will come back to where I think he made a slight error.

Mr. CUNNINGHAM. I am not going to yield for a speech. I yield for a question. The gentleman had 1 hour.

Mr. BARDEN. May I ask the gentleman if he was not in error when he made the statement that we set up a bureau here in Washington?

Mr. CUNNINGHAM. I am referring to the bottom of page 15 of the gentleman's bill:

There shall be established in the Veterans' Administration, an agency to be known as the War Service Education and Training Agency. The President, after recommendations by and consultation with the Administrator of Veterans' Affairs, shall appoint and prescribe a Director of War Service Education and Training, who shall be the head of the agency.

The President defines the duties. You do not in your bill, but—

The Director, with the approval of the Administrator of Veterans' Affairs, shall appoint such other employees as may be necessary in the execution of the functions of the agency.

I called it a bureau. I apologize. It is just an agency, but it puts the power here in Washington.

Mr. BARDEN. Then in subsection (b), going on, we describe the duties of the Director.

Mr. CUNNINGHAM. I thank the gentleman.

Mr. BARDEN. Will the gentleman just let me follow that a moment? You said we set up a bureau.

Mr. CUNNINGHAM. Oh, but you do on page 17, under "Training." Do you want me to read that?

Mr. BARDEN. Now, let me see if the gentleman had in mind this language:

There shall be established on advisory council.

Mr. CUNNINGHAM. I did in one part of my statement.

Mr. BARDEN. There is a great deal of difference between an advisory council and a bureau; is there not?

Mr. CUNNINGHAM. I said I apologized for calling it a bureau. It is an agency. But, a rose is still a rose no matter what you call it.

Mr. BARDEN. The gentleman knows that an agency usually has authority, and an advisory council has no authority.

Mr. CUNNINGHAM. I thank the gentleman. The bill speaks for itself.

Mr. BARDEN. Now the gentleman has made a very bad error, I think, unintentionally, when he was discussing the fact that the State department of education should give a list of accredited schools.

Mr. CUNNINGHAM. Under our bill, yes. No; not accredited schools, but a list of schools. Under your bill they give a list of accredited schools.

Mr. BARDEN. No; that is where the gentleman is in error again.

Mr. CUNNINGHAM. Show me where it is.

Mr. BARDEN. At the top of page 15. The term "approved," as the gentleman knows, is different from "accredited."

Mr. CUNNINGHAM. But who has the power to determine the approval?

Mr. BARDEN. There is a vast difference between "an approved school" and "an accredited school."

Mr. CUNNINGHAM. If the gentleman wants to make a speech, I am not going to yield any further.

Mr. BARDEN. If you do not want me to help untangle it, very well.

Mr. CUNNINGHAM. No. I am asking you what is the difference between "approved" and "accredited."

Mr. BARDEN. Oh, the gentleman certainly knows the difference.

Mr. CUNNINGHAM. I do know, but who is going to determine?

Mr. BARDEN. Now, the gentleman has asked. Let me tell him.

Mr. CUNNINGHAM. Who is going to determine "approved" and then I will know whether it is accredited or not?

Mr. BARDEN. Let me answer the first question first. Approved schools are those schools, apprentice schools, business schools, places of work for apprentices who learn trades that have been approved by the department of education. An accredited school or college is one that has been duly accredited, where its grades are acceptable in other colleges as being acceptable toward a degree, or toward some graduation.

Mr. CUNNINGHAM. Under the gentleman's bill a school could only be approved if it were approved by the board of education or a State agency?

Mr. BARDEN. That is right.

Mr. CUNNINGHAM. Now, you are setting up 48 State bureaucrats. An educational bureaucracy can be just as dangerous as any other kind of bureaucracy. That is the point I was coming to in the bill, but you got me ahead of myself. You set up in this bill a possible bureaucrat in each of the 48 States and 2 huge bureaucracies, or you call them agencies, or services, here in Washington.

Mr. BARDEN. The gentleman does not call the department of education in his State, as it is now set up, a bureaucracy?

Mr. CUNNINGHAM. It could well be.

Mr. JUDD. We do not set them up. We use the ones that are.

Mr. BARDEN. We use the ones that are there.

The one in my State is a very reputable organization, and I am sure the gentle-



man would say as much for the one in his.

Mr. CUNNINGHAM. It certainly is.

Mr. BARDEN. We do not set them up in this bill; it was set up in my State a hundred years ago.

Mr. CUNNINGHAM. We do the same thing, only not quite as much as you. We simply ask them to name the schools and then allow the veteran to make his own choice. There is no more control or not quite as much control as there is in the gentleman's bill. That was the point I was coming to.

Mr. JUDD. The point is, you accept all those State boards of education as being qualified to supply the information, and so forth, but they send a lot of men to Washington to go beyond them and take in extra ones, too.

Mr. BARDEN. That is right, but what do you do?

Mr. JUDD. I trust the State boards of education.

Mr. CUNNINGHAM. But you do not. I beg your pardon. Let me read from page 16 of the bill:

It shall be the duty of the Director with the assistance of the advisory council to (1) formulate general policies and procedures necessary to assure the effective inauguration and operation of the program of education and training provided for by this part, (2) examine State plans submitted to him for approval.

They are going to approve the plans here in Washington.

Mr. JUDD. That meets the requirements of section 8; and what are the requirements of section 8? We spell them out.

Mr. CUNNINGHAM. And I am coming to that:

And approve those State plans which meet the requirements of section 8.

In section 8 you go ahead and lay down a lot more rules. You set up an agency in each of the States, and then you set up an agency here in Washington to determine whether or not the State has complied with the rules, regulations, and provisions of your so-called bureau in Washington. You are getting into such a complicated mess that you will never get him out of it and he never will get to college.

Mr. JUDD. May I suggest that the gentleman read subparagraph 3 beginning in line 9 on page 23:

The duty of the agency in approving the plan shall be solely the determination of whether the plan contains such provisions—

Mr. CUNNINGHAM. A while ago I understood the gentleman from North Carolina to say he had not lodged any authority in officials in Washington, but here is a specifically prescribed duty.

Mr. BARDEN. The gentleman could not have so understood. The gentleman knows I never made a statement of that kind. How could I when it is set up here?

Mr. CUNNINGHAM. I wrote it down.

Mr. JUDD. It states that the plan shall provide six different things and if the plan submitted by the State provides

six different things it automatically is approved.

Mr. CUNNINGHAM. It comes from the States back to Washington to determine whether or not those plans conform.

Mr. JUDD. No.

Mr. CUNNINGHAM. You come back here every time to a group of 17 or 20 men where we go to 1 man. We take our 1 man and make him the head of the whole group. The gentleman complains of the large number of bureaus in Washington, yet here he sets up a new one in each of the 48 States.

Mr. JUDD. We say in our bill that if the plan meets these specifications it has to be approved; it does not delegate discretionary power as in your bill.

Mr. CUNNINGHAM. The gentleman from Minnesota knows who is going to regulate veterans' education under that section of the bill.

Mr. JUDD. The State boards of education are going to do it under our bill; and I would trust them rather than the other.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. ALLEN of Louisiana. The gentleman from Minnesota has said the State boards would do it under his bill. In the committee bill the young man himself chooses the school. That is the way he did before. Why is it necessary to change it now?

Mr. CUNNINGHAM. That is what we should like to know. Under the committee bill we let him do it.

Mr. ALLEN of Louisiana. Why should we have anybody regulate that except the student and the school? Why should we change?

Mr. CUNNINGHAM. We are all seeking the same end; we just do not agree on the method, that is all.

Mr. ALLEN of Louisiana. In the Barden bill we have an advisory committee subject to high pressure from a Government administrator.

Mr. CUNNINGHAM. Under the Senate bill he was subject to the War Manpower Commission, the Federal Bureau of Education, the Office of Vocational Rehabilitation, the Department of the Navy, the Department of War, and some others. We took that out in the committee and put it in one agency instead of setting up the advisory committee they provide in the Barden bill.

Mr. BARDEN. Mr. Chairman, will the gentleman yield for a correction?

Mr. CUNNINGHAM. Yes.

Mr. BARDEN. I thought we understood and agreed a while ago that it was an advisory committee and not an agency.

Mr. CUNNINGHAM. If I said "agency" I beg the gentleman's pardon. Let us call it agency or bureau; it is just a difference in words.

Mr. BARDEN. What; an advisory board?

Mr. CUNNINGHAM. What do these bureaucrats down here call themselves if not advisors?

Mr. BARDEN. The gentleman is the one who is defending bureaucrats. We have none in my bill.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the chairman of the committee.

Mr. RANKIN. Are these intellectual advisors what they call a brain trust?

Mr. CUNNINGHAM. I presume so; I do not know.

Mr. BENNETT of Missouri. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. BENNETT of Missouri. This may have been brought out before, this may be a repetition, but I think the gentleman will agree with me that when men are discharged from the armed forces they do not want the Army or the Navy to have anything to do with them any more; and, furthermore, they do not want anything else to do with the selective service. That is an agency which should be terminated with the termination of the war.

Mr. CUNNINGHAM. And the soldiers do not want to be regimented when they come home.

Mr. WRIGHT and Mr. KEARNEY rose.

Mr. CUNNINGHAM. Just one moment and I will yield to you both. First I want to say the gentleman from North Carolina that he in his bill and we in our bill have exactly the same provision:

No department, agency, or officer of the United States, in carrying out the provisions of this part, shall exercise any supervision or control over any State educational agency or State apprenticeship agency or any educational institution in any State—

Why do we need to set up this agency?

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. VORYS of Ohio. Page 24 of the Barden bill provides for the appointment of an advisory committee which shall be broadly representative of the various types of approved educational or training institutions in the State. I thought the agency in Washington would have the duty and the power of determining whether such advisory committee was set up. Does the gentleman understand that the agency here does or does not have the power to pass on the nature of the State advisory committee?

Mr. CUNNINGHAM. I could not answer that; that is in the Barden bill.

Mr. VORYS of Ohio. What strikes me is that if they do have the power in Washington to pass on that sort of thing with that broad and rather fancy language, that is a good bit of power. If they do not have any such power why have it in the bill?

Mr. CUNNINGHAM. We do not have it in the committee bill.

Mr. WRIGHT. Mr. Chairman, will the gentleman yield?

Mr. CUNNINGHAM. I yield.

Mr. WRIGHT. It strikes me that the committee bill is more simple and probably more easily administered as to these educational provisions than the Barden

bill; also I think it has one other feature which is very important, in that it gives to the veteran more freedom of choice. In spite of what we say it is just as easy to have a veteran regimented by his State government as it is by his National Government.

Mr. CUNNINGHAM. By 48 State agencies.

Mr. WRIGHT. Under 48 different rules. When it comes to choosing the accredited schools and approved schools, this bill gives the veteran the right to go to any school he wants as long as it is approved by the Veterans' Administration in Washington or suggested by the States and as long as the Veterans' Administration is satisfied that it is not a racket proposition trying to fleece the veteran.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CUNNINGHAM. Can the gentleman from New York yield me some more time?

Mr. KEARNEY. I yield the gentleman 5 additional minutes.

Mr. CUNNINGHAM. What is the pleasure of the gentleman from Mississippi about continuing this afternoon? I should like more time.

Mr. RANKIN. I can let the gentleman have some time tomorrow. If it is satisfactory to the gentleman from New York, suppose the gentleman from Iowa continues tomorrow.

Mr. KEARNEY. That is perfectly agreeable.

Mr. RANKIN. Mr. Chairman, I yield 3 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, I am in hearty accord with the objectives and aims of the provisions of this bill. I believe that the educational features of H. R. 3864 might improve the bill. I did not, however, ask for this time to discuss the bill before the committee.

Mr. Chairman, I asked for this time rather to pay tribute to a very great lady. It has been brought to my attention that a very great honor will be conferred on Ella Marie Kelley, the wife of our colleague the gentleman from Pennsylvania [Mr. KELLEY], in having been selected as the Catholic mother of 1944.

Mrs. Kelley is the mother of 9 children, 6 sons and 3 daughters. Five sons are serving in the armed service, 2 of them in overseas theaters of operation. Selection of the Catholic mother of the year is completed annually on the day devoted to the Patroness of Christian Mothers and announcement made on the eve of National Family Week, which date coincides with Mother's Day.

Presentation to Mrs. Kelley of the medal of the National Catholic Conference on Family Life will be made at the Shrine of Christian Motherhood in St. Augustine, Fla. At this period of tragic war, it seems to me it is well for us to pause long enough to pay homage not only to Mrs. Kelley but to the mothers of the world, many of whose sons are fighting and dying to maintain and preserve the things we believe to be of su-

preme importance to the future of our beloved country.

May I at this time offer my tribute and admiration and respect to a wonderful mother, Ella Marie Kelley, the wife of our colleague, AUGUSTINE B. KELLEY, and the mother of six sons and three daughters, all of whom are great Americans.

Mr. WRIGHT. Will the gentlewoman yield?

Mrs. NORTON. I yield to the gentleman from Pennsylvania.

Mr. WRIGHT. I, too, have had the privilege of the acquaintanceship of Mrs. Kelley and know her to be a very charming lady and a fine example of Christian motherhood. The family life of the Kelleys has been an inspiration to all people who have been fortunate enough to come in contact with them.

Mrs. NORTON. I agree with the gentleman and I say to you that their family life has been a very great inspiration to me also.

The CHAIRMAN. The time of the gentlewoman has expired.

Mr. RANKIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. MURDOCK, having taken the chair as Speaker pro tempore, Mr. LANHAM, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (S. 1767) to provide Federal Government aid for the readjustment in civil life of returning World War No. 2 veterans, had come to no resolution thereon.

#### EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ROWE] may have permission to extend his own remarks in the RECORD by printing an editorial by Jay Sheldon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to place in the RECORD a letter I have forwarded today to the Attorney General, Hon. Francis Biddle, relative to Reverend Orlemanski and Professor Lange.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. LESINSKI]?

There was no objection.

#### FLOOD RELIEF

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that it may be in order tomorrow to consider, immediately after the reading of the Journal and disposition of business on the Speaker's table, a resolution providing for flood relief, under the rules of the House.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. RANKIN. Mr. Speaker, reserving the right to object, how long will it take?

Mr. CANNON of Missouri. I think it will take about 30 minutes.

Mr. RANKIN. Mr. Speaker, owing to the emergency that exists in the flood areas, I am not going to object, but I will say that immediately at the conclusion of consideration of that measure we will resume general debate on the veterans' bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

#### EXTENSION OF REMARKS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a comparative analysis by General Hines of the pending bill and what is known as the Barden bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the American Labor News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey [Mrs. NORTON]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and to include therein a short article discussing a very vital matter in connection with the disposal of the surplus materials of the Government.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. GILLIE]?

There was no objection.

(Mr. BENNETT of Missouri and Mr. SHAFER asked and were given permission to extend their own remarks in the Appendix of the RECORD.)

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an editorial.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Michigan [Mr. WOODRUFF] is recognized for 15 minutes.

#### BILL OF RIGHTS STILL A FORCE

Mr. WOODRUFF of Michigan. Mr. Speaker, a very wholesome thing recently happened in Honolulu. The long, strong arms of the Bill of Rights—our constitutional Bill of Rights—reached out to that community to preserve and sustain the rights of a humble dock worker. He is a civilian navy yard worker who, it appears, got into a fight with two marine



sentries. Whether the civilian navy yard worker was at fault, or whether the sentries were at fault, is beside the point of this observation. This civilian navy yard worker was arrested by order of the provost marshal, tried by court martial, and sentenced to 6 months in jail. The man appealed his case on the grounds that a military court martial did not have the authority to try and to sentence a civilian worker in Honolulu. The case was appealed to Federal Judge Delbert E. Metzger. Gen. Robert C. Richardson and Admiral Chester W. Nimitz, in charge of the military and naval defense of Hawaii, appeared before Judge Metzger and claimed that because an invasion of Hawaii was a standing threat, that martial law was in operation. Judge Metzger said, in effect, to these high-ranking officers of the armed forces that they had no right to establish a military government in any part of the United States. The judge ruled that the civil courts are still functioning, and that civil rights are still to be upheld, regardless of any threat of invasion. The judge ruled that the military authorities had no right to withdraw from the civilian population the protection of the civil law and submit the civil population to martial rule and trial by military courts.

Thus, in the person of Federal Judge Metzger, the Constitution of the United States has reached out to protect a humble workingman who got into an altercation with a couple of marine sentries, and even a general and an admiral were not powerful enough, in wartime and on an outpost of defense such as Hawaii, to override the rights of that humble citizen.

We are not interested in this special individual, Lloyd C. Duncan. We are interested in the rights of the individual, whether he be Lloyd C. Duncan, or Bill Smith, or John Brown. We do not know whether or not in this particular case this particular workman violated the prescribed rules of proper behavior. We do not know whether 6 months in jail would be a reasonable punishment for his offense, if he actually committed one.

What we, as citizens of the United States, are interested in is the important principle of the sanctity of civil rights involved in the spectacular conflict between a Federal judge and the high military authorities in Honolulu.

In the habeas corpus case, the court ordered freedom for Duncan and canceled his \$500 bond. Judge Metzger ruled that the military court "possesses no authority in law to try, find guilty, and sentence the civilian petitioner to imprisonment."

What was actually at stake in the case was the legality of the military government established on the Hawaiian Islands after the attack on Pearl Harbor. The case is remarkable in that Admiral Chester W. Nimitz and Lt. Gen. Robert C. Richardson appeared in court in defense of the military authorities taking over the governmental functions of the islands including the administration of justice.

General Richardson expressed the opinion that Hawaii "is and has been continuously since December 7, 1941, in imminent and constant danger of attack." Admiral Nimitz added that the present form of martial law is a desirable expedient and necessary in the field of war operations.

Judge Metzger, however, ruled that martial law was—I quote—

without lawful operation or lawful authority over civilian affairs or persons. I find myself bound by the laws of the land. \* \* \* Civil affairs and the civil government extend in the operation of the law to the battle zone or military camps even in time of war, and for many purposes inside military reservations, particularly where civilians are concerned.

The judge asserted, and both commanders agreed, that actual invasion of Hawaii by enemy troops is now practically impossible. He stated—and I again quote:

If the present laws do not give the fullest desirable protection against subversive and suspicious Japanese aliens, clearly it is the duty of the Army and Navy to ask for a legislative curb on the procedure instead of insisting upon holding by force of arms an entire population under a form of helpless, unappealable subjugation called martial law or military government. \* \* \* The right to establish martial law \* \* \* ceases and becomes unlawful as soon as the civil government is capable and willing to resume its normal functions. \* \* \* Throughout 1943 the civilian government was sufficiently equipped, capable, and willing to perform all of the functions for which it was created.

The issue at stake and the point which is so consequential that you, my friends, ought to understand what this case is all about, was well expressed by the courageous judge when he, in rendering his opinion, stated that the very purpose of this war allegedly is to protect and perpetuate the American system of government by constitutionally established laws. He noted that some countries have tried dictatorships and commented:

Many views have been advanced that such is the correct and efficient system for successfully conducting a war, but that system is now on its way out. It is the antithesis to Americanism, and nothing short of riotous conditions and dissolution of lawfully constituted government can justify it in civilian affairs of the land.

The Nation will applaud this Federal judge for pointing out to us that this country is in danger of losing the war, not as a consequence of military defeat, mind you, but by surrendering, though victorious in combat, to the hateful ideals and political methods of our enemies. For, indeed, "What shall it profit a man if he shall gain the whole world and lose his own soul?" And that question can cover a nation.

This is not the first time Judge Metzger has upheld the rights of the people against the military government sought to be enforced upon the Hawaiian Islands. In a previous action, the judge fined General Richardson for contempt of court, but the general was pardoned by President Roosevelt. This time, also the military authorities have no inten-

tion of accepting the ruling of the court. Col. W. R. C. Morrison, the executive officer to General Richardson, has stated that the War Department would immediately appeal the decision of the court and added:

Pending a decision by the highest court, the office of military governor will function as usual and violations of general orders will continue to be tried in provost courts.

It will be most interesting to note what action the Federal Courts of Appeal will take in this case.

It is most unfortunate that during his prolonged reign in this country, the President apparently has used his powers to appoint to our Federal courts and particularly to the Supreme Court of the United States, men chosen because of their subservience to his political ideas rather than the most competent and most experienced judges of the land. Indeed, many of them have indicated they are not of the same high caliber as Judge Metzger.

We fully grant to our military leaders an obligation to protect the shores of this country and to take any necessary precaution to assure the defense of any part of our American territory. This, however, must be done within the framework of the Constitution and the laws of the land. If these are not adequate to meet war conditions, reasonable requests for additional legislation will certainly not be refused by Congress. But we do not grant to any authority in this Nation the right to set aside the Constitution, the Bill of Rights, or our statutory laws under the mere pretext that it is necessary to do so. Where human rights are involved, the power of the people, as formulated in the Constitution, insists that the rights of a lowly workman are as important as the authority and functions of a commanding general, or anyone else.

In confirmation of this statement and to impress upon the minds of all of us the vital interest each citizen of these United States has in preserving intact the Constitution, may I call to your attention a practice in the Federal courts that is as old as the courts themselves. I do this only because the average citizen little realizes how vitally this practice may affect him.

The first 10 amendments to the Constitution are called the Bill of Rights. They are so named because they throw around the individual citizen a mantle of protection which guarantees to him that he shall enjoy free from interference all the rights and the freedom enjoyed by any other citizen or group of citizens, regardless of who they are nor how powerful they may be.

That the freedom of the individual is the very foundation upon which our whole system of government is based, and that this freedom is boundless except as to action which invades the rights and freedom of other citizens, is indicated by the lengths to which the judiciary has always gone in protecting the

constitutional rights of each citizen regardless of his standing in life, or how poor or unfortunate he may be.

The most humble citizen of this country, regardless of the fact that he may have no financial means, when his constitutional rights have been invaded, can reach even into the august presence of the United States Supreme Court itself, if necessary, to preserve those rights.

During the past year there have been not less than 150 such cases in our Federal and State courts in which the constitutional rights of our citizens have been involved, which were brought direct from those courts to the Supreme Court without intervening action.

If the appellant is charged with crime, and in most of such cases this charge is involved, and in the event the appellant appears with no attorney or the means of employing same, the Court itself, under the Constitution, is compelled to ask the appellant if he desires counsel, and if so, the Court thereupon appoints an attorney to protect the citizen's every right. Thus the most humble citizen may be heard in the highest court of the land with little or no expense to himself.

If we remove one little stone from the foundation of a structure, we take the first step toward the total destruction of not only the foundation but of the entire structure itself. We cannot destroy even a small segment of the Constitution and hope to long retain any part of this great protection of human rights. It is because of this that I have repeatedly called attention to the sinister attacks made upon constitutional government by those in high authority and the danger such attacks hold for the liberty and rights of our citizens.

The SPEAKER pro tempore (Mr. MURKOCK). Under a previous order of the House, the gentleman from Wisconsin [Mr. MURRAY] is recognized for 30 minutes.

#### FARM OWNERSHIP IN RELATION TO VETERANS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein certain tables and letters from departments of the Government.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, as a preface to the remarks I wish to make today, may I say that I think very few of us realize the problems that confronted the Committee on World War Veterans' Legislation in many of the sections of this bill. I say that at this time because I have conferred not only with the chairman, the gentleman from Mississippi [Mr. RANKIN], but also with the gentleman from Iowa [Mr. CUNNINGHAM], the gentleman from Missouri [Mr. BENNETT], the gentleman from New York [Mr. KEARNEY], and the gentleman from Wisconsin [Mr. SMITH], a former commander of the American Legion of our State.

I address myself particularly to the section on page 58, section 500, subsection (c), in which provision is made for the veteran to obtain a farm upon his release from the armed forces.

To start with, I wish to say that I do not arrogate to myself knowledge as to exactly what the interest rate should be, but I call attention to the fact that the Committee on Agriculture has had a subcommittee headed by our colleague the gentleman from North Carolina [Mr. COOLEY] studying one phase of this farm loan problem for a year. So I do not in any way question the actions of this committee. In the remarks that are to follow I hope I have made some contribution. I have tried to assemble in as purely an informative way as I could what has happened in the past so that it may guide our footsteps in the future.

I feel that this committee, from the conversations I have had with its members, are open to any suggestion in connection with this legislation that will improve this section of the bill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman approve of the provision that increases the amount of the down payment from \$1,000 to \$1,500?

Mr. MURRAY of Wisconsin. Yes. I may say to my distinguished colleague from Massachusetts that I do not want to inject my personal opinion as to any particular phase of the problem but desire to make a general approach to the problem.

Mrs. ROGERS of Massachusetts. Our committee welcomes it.

Mr. MURRAY of Wisconsin. This will all come out in the debate. It is a part of the legislation that should be brought out by the committee at the proper time. I feel that the committee will do this. I am not trying to bring out any amendment of my own. I feel that the committee should not be criticized for the provisions as they now appear, for the reason that the Committee on Agriculture has spent a year on studying only a part of this problem. I hope that the committee will present an amendment to this section that will be satisfactory.

Mr. Speaker, the G. I. bill now being considered by this House, has a farm-loan feature incorporated in it that requires the attention of each and every Member of Congress. We should approach this section and this program from the viewpoint of the welfare of the veteran and we should also consider this legislation in the light of what has been and is being done to increase farm ownership by nonveterans.

To obtain this picture we must spend a few minutes on a historical background of federally sponsored farm-loan agencies.

The Federal land bank was started in 1916. The rates of interest were mostly 5 to 6 percent, which seemed fair rates at that time. The Federal land bank was supposed to stand on its own

feet. When the farmers formed borrowing cooperatives they could and did make individual loans.

Beginning in 1930 large numbers of delinquent farm loans, including the ones held by individuals, banks, and insurance companies, appeared. This was due to many factors, including low farm prices, drought, and a national and world-wide economic upheaval. The selling price of many farms became less than the cost of the buildings.

In 1933 there was an attempt to meet the situation by forming the Federal Farm Mortgage Corporation which made direct Government loans, sometimes as first mortgages and sometimes as second mortgages, behind the Federal land-bank loans.

The approach was by Executive order, which is as follows:

#### EXECUTIVE ORDER REORGANIZING AGRICULTURAL CREDIT AGENCIES OF THE UNITED STATES

Whereas sections 401 and 403 of title IV of part II of the Legislative Appropriation Act, fiscal year 1933, as amended by an act of Congress approved March 3, 1933, provide:

"Sec. 401. The Congress hereby declares that a serious emergency exists by reason of the general economic depression; that it is imperative to reduce drastically governmental expenditures; and that such reduction may be accomplished in great measure by proceeding immediately under the provisions of this title.

"Accordingly, the President shall investigate the present organization of all executive and administrative agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

"(a) To reduce expenditures to the fullest extent consistent with the efficient operation of the Government;

"(b) To increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;

"(c) To group, coordinate, and consolidate executive and administrative agencies of the Government, as nearly as may be, according to major purposes;

"(d) To reduce the number of such agencies by consolidating those having similar functions under a single head, and by abolishing such agencies and/or such functions thereof as may not be necessary for the efficient conduct of the Government;

"(e) To eliminate overlapping and duplication of effort; and

"(f) To segregate regulatory agencies and functions from those of an administrative and executive character."

The real cause of this crisis was the lack of faith in the land and a lack of appreciation of the fact that, after all, the land is pretty much the basis of the value of a country. Any great country has always been one with a large area of rich, productive, and fertile land.

When the magnitude of the undertaking and the rapidity of execution is considered, it is usually agreed that fairly satisfactory results were obtained, even though the politics injected into the picture could have well been eliminated. Many farms were saved temporarily from some insurance company or individual, later to be foreclosed on by the governmental agency itself.

The following table shows the foreclosures each year from 1930 to 1943:



Federal land banks and Federal Farm Mortgage Corporation—Number and unpaid principal of mortgage loans, purchase money mortgages, and real-estate sales contracts foreclosed by years from 1930 through 1943

Year ending Dec. 31—	Federal land banks		Federal Farm Mortgage Corporation		Total	
	Number	Unpaid principal	Number	Unpaid principal	Number	Unpaid principal
1930.....	4,645	\$16,866,108.97	—	—	4,645	\$16,866,108.97
1931.....	7,386	27,168,645.95	—	—	7,386	27,168,645.95
1932.....	10,039	40,419,840.29	—	—	10,039	40,419,840.29
1933.....	5,557	21,589,659.28	—	—	5,557	21,589,659.28
1934.....	4,014	12,490,125.83	2	\$4,800.00	4,016	12,494,925.83
1935.....	9,955	30,592,349.66	213	361,836.00	10,168	30,954,185.66
1936.....	11,922	35,274,863.52	2,184	4,012,791.62	14,106	39,287,655.14
1937.....	7,774	22,591,580.27	3,498	6,647,043.19	11,272	29,238,623.46
1938.....	5,311	16,941,259.69	5,189	10,530,474.62	10,500	27,471,734.31
1939.....	7,461	25,512,760.58	5,502	11,538,242.93	12,963	37,051,003.51
1940.....	3,319	11,502,798.46	2,212	4,833,108.19	5,531	16,335,906.65
1941.....	2,766	8,836,514.83	1,841	3,795,563.79	4,607	12,632,078.62
1942.....	2,392	7,641,221.32	2,074	4,313,296.99	4,466	11,954,518.31
1943.....	861	2,801,861.06	1,074	2,042,634.51	1,935	4,844,495.57

NOTE.—Properties acquired by voluntary deeds from borrowers are included prior to 1933. Foreclosures of purchase-money mortgages and contracts are not included prior to 1936.

It was rather difficult to maintain these farms with droughts and low farm prices prevailing from 1930 to 1940. On January 1, 1944, there were in force:

	Number of loans	Amount of loans
Federal land-bank loans.....	482,779	\$1,357,937,417
Land Bank Commissioner loans.....	318,282	406,190,206
Total.....	801,061	1,764,127,623

During 1943, the number of Federal land-bank loans in the United States was reduced from 554,163 to 482,779 or by 71,384. During 1943—the amount of the Federal land-bank loans in force was reduced from \$1,602,846,044 to \$1,357,937,417 or by \$244,909,527.

During 1943 the Land Bank Commissioner loans were reduced from 382,504 to 318,282, or by 64,222. During 1943 the amount of the Land Bank Commissioner loans was reduced from \$512,197,416 to \$406,190,206 or by \$106,007,310. This makes a total of 125,608 loans paid during the past year. Some of these loans were paid up by transferring the obligation to insurance companies. There has been a large increase in the number of farm loans in the United States as a result of new loans by insurance companies, banks, and individuals during the past few years. On January 1, 1940, the farms of the United States, including buildings, had a value of thirty-five billions and this estimated value now is somewhere around forty billions.

#### THE BANKHEAD-JONES LOANS

In 1935 the Bankhead-Jones bill was passed. This provided for farms at 100 percent value for 40 years at 3 percent. This loan set-up has been heralded as an approach to solving farm tenancy although the facts are that farm ownership has decreased during all these years. I personally believe in any approach to increase farm ownership, but I never could, nor do I now, see the justice of the Bankhead-Jones law.

As I told Marvin Jones once, about all I liked about it was the name of the author. The reason I say this is because

while the Bankhead-Jones agency was out finding farms for people who never owned one and spending \$250 to \$300 of public funds each to find one for them and then giving them a 40-year loan at 3 percent at the very time other Federal agencies were taking farms from people because they could not pay 4-percent and 5-percent loans and when the loans were in many cases only \$1,200 to \$1,500.

The agriculture appropriation bill now in the other body has a provision for \$15,000,000 for these same Bankhead-Jones farm purchases, in the face of the apparent need and desire for veteran's farm ownership.

The Bankhead-Jones loans by States since 1935 are as follows:

TABLE 1.—Number of farms and amount of money approved for the purchase of farms under the Bankhead-Jones Farm Tenant Act, by States, since inception through Dec. 31, 1943

State	Total number borrowers approved	Total amount of money approved <sup>1</sup>
United States total.....	35,146	\$201,659,559
Alabama.....	3,071	12,847,383
Arizona.....	30	203,242
Arkansas.....	2,091	9,596,181
California.....	202	1,957,521
Colorado.....	164	1,557,631
Connecticut.....	13	105,701
Delaware.....	42	257,090
Florida.....	309	1,257,312
Georgia.....	3,546	13,758,825
Idaho.....	102	904,178
Illinois.....	658	6,596,338
Indiana.....	442	4,072,145
Iowa.....	873	7,845,338
Kansas.....	561	4,796,322
Kentucky.....	865	6,055,709
Louisiana.....	1,462	7,584,465
Maine.....	31	166,677
Maryland.....	150	1,009,488
Massachusetts.....	23	131,592
Michigan.....	835	2,500,037
Minnesota.....	580	4,998,683
Mississippi.....	2,799	13,337,739
Missouri.....	1,160	7,092,667
Montana.....	78	733,649
Nebraska.....	451	4,412,716
Nevada.....	6	33,424
New Hampshire.....	10	60,574
New Jersey.....	57	385,195
New Mexico.....	60	494,386
New York.....	279	1,608,759
North Carolina.....	2,495	11,199,963
North Dakota.....	463	2,393,315
Ohio.....	617	5,006,010
Oklahoma.....	1,591	9,588,019
Oregon.....	100	775,381
Pennsylvania.....	439	2,533,890
Rhode Island.....	2	10,297
South Carolina.....	1,994	8,617,298

TABLE 1.—Number of farms and amount of money approved for the purchase of farms under the Bankhead-Jones Farm Tenant Act, by States, since inception through Dec. 31, 1943—Continued

State	Total number borrowers approved	Total amount of money approved
South Dakota.....	351	\$2,603,883
Tennessee.....	1,520	8,189,480
Texas.....	2,682	19,852,813
Utah.....	40	274,321
Vermont.....	35	188,732
Virginia.....	777	4,113,008
Washington.....	125	1,052,289
West Virginia.....	371	1,740,805
Wisconsin.....	477	3,197,620
Wyoming.....	34	270,274
Hawaii.....	192	1,141,647
Puerto Rico.....	491	2,463,849

<sup>1</sup> Obligations.

You will note that over 10 percent of these loans are in one State, Georgia.

In addition to the Bankhead-Jones loans we also have the farm development loans that have been made by the Farm Security Administration. These have been made without any foundation of law, but rather by Executive order, I presume. The borrowers by States are as follows:

TABLE 2.—Number of borrowers and amount of funds advanced for farm development loans since inception through Dec. 31, 1943

State	Total number borrowers	Total amount advanced
United States total.....	4,186	\$7,868,097
Alabama.....	7	12,885
Arizona.....	3	4,600
Arkansas.....	149	180,365
California.....	22	19,122
Colorado.....	31	49,976
Connecticut.....	0	0
Delaware.....	2	3,565
Florida.....	9	9,861
Georgia.....	21	39,371
Idaho.....	108	261,588
Illinois.....	73	123,859
Indiana.....	67	144,547
Iowa.....	30	93,662
Kansas.....	21	58,325
Kentucky.....	32	55,163
Louisiana.....	3	1,157
Maine.....	11	20,722
Maryland.....	5	16,200
Massachusetts.....	1	2,500
Michigan.....	268	486,519
Minnesota.....	818	1,389,412
Mississippi.....	75	125,965
Missouri.....	214	355,306
Montana.....	125	550,299
Nebraska.....	5	9,588
Nevada.....	0	0
New Hampshire.....	11	28,283
New Jersey.....	16	7,279
New Mexico.....	15	39,236
New York.....	27	61,180
North Carolina.....	46	92,245
North Dakota.....	7	18,273
Ohio.....	56	93,122
Oklahoma.....	354	322,270
Oregon.....	172	440,201
Pennsylvania.....	27	66,072
Rhode Island.....	0	0
South Carolina.....	4	5,655
South Dakota.....	20	50,167
Tennessee.....	25	63,837
Texas.....	264	257,486
Utah.....	36	74,194
Vermont.....	25	39,285
Virginia.....	29	59,266
Washington.....	93	270,040
West Virginia.....	30	53,334
Wisconsin.....	737	1,481,970
Wyoming.....	92	230,138
Hawaii.....	0	0
Puerto Rico.....	0	0
Virgin Islands.....	0	0

A letter received from the Office of the Administrator of the Farm Security Administration, dated May 8, 1944, reads in part as follows:

This is in response to your letters of March 31 and April 4, 1944, for information relative to farm-ownership loans made by this Administration under the Bankhead-Jones Farm Tenant Act and from other sources. The number and amount of farm-ownership loans approved under the Bankhead-Jones Farm Tenant Act are shown by States on table 1. The number of farm-development loans, also made under the farm-ownership program for necessary improvements to real estate, but from funds other than those authorized by the Bankhead-Jones Farm Tenant Act, are shown together with the amounts advanced on table 2. Those tables do not include those project units which are being sold wherever practicable under terms and procedure established under the Bankhead-Jones Farm Tenant Act. \* \* \*

Furthermore, it may be well to point out that administrative policy of the Farm Security Administration prohibits the purchase of any farms in excess of \$12,000 valuation.

There is another appropriation to farmers I wish to call to your attention. It is in the bill that sets up some authority of law for the numerous, about 100, items for which appropriations were being made without any authorization of law.

It is as follows:

Sec. 502. (a) Section 4 of the Rural Electrification Act of 1936, as amended (7 U. S. C. 901-914), is amended by striking out the following words in the second proviso: "at a rate equal to the average rate of interest payable by the United States of America on its obligations, having a maturity of 10 or more years after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued;" and inserting in lieu thereof the following: "at a rate of 2 percent per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 percent per annum, and the maturity date of any such loans may be re-adjusted to occur at a date not beyond 35 years from the date of such loan."

(b) Section 5 of the Rural Electrification Act of 1936 as amended (7 U. S. C. 901-914), is amended by striking out the following words: "at a rate of interest equal to the average rate of interest payable by the United States of America on its obligations, having a maturity of 10 or more years after the dates thereof, issued during the last preceding fiscal year in which any such obligations were issued," and inserting in lieu thereof the following: "at a rate of interest of 2 percent per annum; interest rates on the unmatured and unpaid balance of any loans made pursuant to this section prior to the effective date of this amendment shall be adjusted to 2 percent per annum."

I am not taking the position that the section 502 should not be passed, but I call your attention to the fact that this section was passed this session of Congress without a dissenting vote.

Another situation that can be included at this time is in connection with the Federal Housing Authority. At this point I wish to read the letter of transmittal from this agency and two memoranda:

NATIONAL HOUSING AGENCY,  
FEDERAL PUBLIC HOUSING AUTHORITY,  
Washington, April 24, 1944.  
Hon. REID F. MURRAY,  
House of Representatives,  
Washington, D. C.

DEAR CONGRESSMAN MURRAY: Confirming information given to you by telephone on April 20, I am glad to enclose herewith two statements covering data which you requested concerning the development cost and annual subsidy on our program under the United States Housing Act, as amended.

Sincerely yours,

JAMES R. LEE,  
For HERBERT EMMERICH,  
Commissioner.

STATEMENT REGARDING ANNUAL CONTRIBUTIONS  
UNDER THE UNITED STATES HOUSING ACT (IN-  
CLUDING THE WAR HOUSING AMENDMENT  
THERETO, PUBLIC ACT 671, 76TH CONG.) AS OF  
APRIL 20, 1944

1. The amount of annual contributions:  
a. Paid in fiscal year 1943, \$9,882,042.  
b. Budget estimate for fiscal year 1945, \$10,947,291. (Funds for this purpose consist of \$9,500,000 included in the pending independent offices appropriation bill plus unobligated balances of the prior year's appropriations.)

2. The total maximum annual subsidy of the entire program is \$28,000,000. (The F. P. H. A. now has outstanding commitments for annual contributions substantially up to the maximum.)

UNIT COST DATA FOR PROJECTS DEVELOPED UNDER  
THE UNITED STATES HOUSING ACT (INCLUDING  
THE WAR HOUSING AMENDMENT THERETO,  
PUBLIC ACT 671, 76TH CONGRESS), AS OF FEB-  
RUARY 29, 1944

1. Total program:<sup>1</sup>  
a. Number of projects, 570.  
b. Number of dwelling units, 167,514.  
2. Average unit costs:  
a. The average total development cost per unit was \$4,715.

The total development cost includes all costs, including site improvements and community facilities, as well as dwelling units and, in the case of projects built on slum sites, includes also the cost of slum buildings torn down and the cost of their demolition.

b. The average cost per unit for all items included in the statutory limitation specified in the United States Housing Act (that is, all costs excluding land, demolition, and nondwelling facilities) was \$3,390 for projects in cities under 500,000 (statutory limitation \$4,000) and \$3,605 for projects in cities over 500,000 (statutory limitation \$5,000).

c. The highest average total development cost per unit was \$6,801.<sup>2</sup> The cost for the items included in the statutory limitation for this project was \$3,787.

d. The lowest average total development cost per unit for projects in continental United States was \$2,692. This project is located at Miami, Fla., where it was possible to purchase the land, on which the project was developed, at a very low cost. The cost

<sup>1</sup> Thirteen rural projects, including 515 units, with very low costs excluded.

<sup>2</sup> This project is located at San Francisco, Calif., and the high cost per dwelling unit was due to the high cost of the land purchased for the site and the high cost of purchasing and clearing the slum buildings on that site. In fact, these two items, i. e., cost of land and cost of purchase and clearance of slum buildings amounted to approximately 25 percent of the total development cost.

for the items included in the statutory limitation for this project was \$2,347.

I am not at this time commenting on the merits of this housing legislation, but I do want to call your attention to the appropriation and the subsidy involved.

In addition to the above, legislation was enacted last year to provide overtime payment to Federal employees which was up to \$300 per year for the low-income groups, and over twice as much, or \$628.32 to be exact, to the employees in the higher salary group. In fact, many of the higher salary groups of government receiving \$10,000 to \$15,000 per annum and some with the best-paying jobs they ever had in their lives, receive more as overtime than the base pay of the men in the armed forces.

Furthermore we have agencies of government spending millions of dollars for subsidized hay, such as in the political dust bowl of Virginia, and the agency does not even know to whom the free hay was given nor how much it cost. Many of these activities are carried on as aids to the war effort when in fact some of them are detrimental to the war effort.

With this background now let us consider the G. I. bill, S. 1767. On page 58 we find under section 500 the following:

(c) Loans guaranteed by the Administrator under this title shall be payable under such terms and conditions as may be approved by the Administrator: *Provided*, That loans guaranteed by the Administrator shall bear interest at a rate not exceeding 6 percent per annum and shall be payable in full in not more than 20 years. The Administrator is authorized and directed to guarantee loans to veterans subject to the provisions of this title on approved applications made to persons, firms, associations, and corporations and to governmental agencies and corporations, either State or Federal.

The Committee on World War Veterans' Legislation has spent considerable time on this section of the bill. I appeared before the committee but did not have all the information from the departments to present at that time.

There are certain questions that must arise in every Member's mind. One question is this: If any selected group of nonveterans can purchase a farm and have the Government pay 100 percent of the purchase price, and give a 40-year loan at 3 percent interest, should we enact legislation that gives the veteran a less favorable position?

In fairness it should be stated that there is nothing in the Bankhead-Jones law to exclude a veteran. Nor is there anything to give the veteran preference for a loan. In the proposed Cooley bill, not yet out of committee, the veteran would have preference.

Another question is this: Do you not think it advisable to provide the veteran a set-up whereby his interest rate is favorable in comparison to other groups?

The importance of giving deep consideration to this legislation is due to the fact that farming is a young man's profession. A rather small percentage of the rural population attend institutions of higher learning.



The desired legislation should be passed at this time because of the fact that proper consideration for veterans is apt to receive less support when the war is over.

For example, take the attitude of Clarence A. Dykstra, president of the University of Wisconsin, in 1936, where we find the following:

Source: Lip Service or Civil Service, by Clarence Addison Dykstra, Pamphlet No. 6, November 1936, published by Civil Service Assembly of the United States and Canada (p. 9, par. 2).

By Federal ruling and by State legislation the veteran picture of today is strikingly different. The veteran is much more highly favored than in the old days. The United States Commission reported in 1920 that there were approximately 4,500,000 persons entitled to preference for the service. Large areas of the public service in many jurisdictions now are restricted largely to veteran groups. In the Federal service alone, according to a Federal examiner's report of 1934, 25 percent of all appointments go to veterans, although they are a very small percentage of the population. Such a procedure in appointments seems to come dangerously near to the creation of a privileged office-holding class in America, and moreover a group which, according to examination figures, made substandard records in the tests.

Another suggestion is that the Farm Credit Administration should be included in this legislation so that the veteran will be assured a fair appraisal of any farm he may wish to secure.

To sum this up then we have provided for loans of 100 percent for 40 years to selected groups; we have seen agencies drive 90,000 farm families from their homes as well as their farms because farm prices were low from 1930 to 1940 and because they could not pay a \$3,000 to \$4,000 loan. We have seen a home-providing program for our city cousins with 167 housing units where some units cost over \$6,800 each and the average nearly \$5,000 each. We have seen overtime provided for higher bracket Federal employees in excess of the base pay of the men in the armed forces although these men received from \$10,000 to \$15,000 per year. We have seen and now are seeing millions of dollars provided to groups not asking for it, and to groups that do not need it.

Then we find in S. 1767, "That loans guaranteed by the Administration shall bear interest at a rate not exceeding 6 percent per annum, and shall be payable in full in not more than 20 years."

I have conferred with the gentleman from Mississippi, Hon. JOHN RANKIN, chairman of the Veterans Committee, the gentleman from Iowa, Hon. PAUL CUNNINGHAM, the gentleman from Missouri, Hon. MARION BENNETT, the gentleman from New York, Hon. BERNARD KEARNEY, and other members of this committee and I am sure that they wish to have this section of the bill amended in such a manner so that the veteran will be provided with the legislative protection he so richly deserves.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JARMAN, until

May 20, 1944, on account of official business.

#### BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KLEIN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 1565. An act relating to the appointment of postmasters;

H. R. 3261. An act to amend the act of April 29, 1943, to authorize the return to private ownership of Great Lakes vessels and vessels of 1,000 gross tons or less, and for other purposes; and

H. J. Res. 271. Joint resolution making an additional appropriation for the fiscal year 1944 for emergency maternity and infant care for wives of enlisted men in the armed forces.

#### ADJOURNMENT

Mr. RANKIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 25 minutes p. m.) the House adjourned until tomorrow, Friday, May 12, 1944, at 12 o'clock noon.

#### COMMITTEE HEARINGS

##### COMMITTEE ON THE JUDICIARY

Subcommittee No. 4 of the Committee on the Judiciary will conduct hearings on S. 1272, to amend section 313 of the Federal Corrupt Practices Act, 1925, as amended, for the purpose of making the provisions of such section prohibiting political contributions apply equally to labor organizations and management organizations, at 10:30 a. m. on Friday, May 12, 1944, in room 346, Old House Office Building, Washington, D. C.

##### COMMITTEE ON THE POST OFFICE AND POST ROADS

There will be a meeting of the Committee on the Post Office and Post Roads on Tuesday, May 16, 1944, at 10:00 a. m., to consider H. R. 4780, a bill to fix the fees for domestic insured and collection-delivery mail, and special delivery service. Hearings will be held.

##### COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold a public hearing Thursday, May 18, 1944, at 10 a. m., on H. R. 2809, to amend section 511 of the Merchant Marine Act, 1936, as amended. (Ship-construction reserve fund.)

The Committee on the Merchant Marine and Fisheries will hold a public hearing Thursday, May 25, 1944, at 10 a. m., on H. R. 4486, to provide for the sale of certain Government-owned merchant vessels, and for other purposes.

Persons desiring copies of the printed hearings when available will please notify the Clerk by letter.

Witnesses are requested to notify the Clerk by letter at least a day in advance of the hearings of their desire to testify in order that a list of witnesses may be prepared. Written statements for the record from persons other than wit-

nesses should be submitted a day in advance. Amendments to be proposed during the hearing should be submitted to the reporter in duplicate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1529. A communication from the President of the United States, transmitting a proposed provision in the form of an amendment to the budget for the Public Health Service, Federal Security Agency, for the fiscal year 1945 (H. Doc. No. 584); to the Committee on Appropriations and ordered to be printed.

1530. A communication from the President of the United States, transmitting an estimate of appropriation for the Federal Works Agency for the fiscal year 1945, amounting to \$9,000,000 (H. Doc. No. 585); to the Committee on Appropriations and ordered to be printed.

1531. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a copy of the estimate of the number of employees required for the proper and efficient exercise of the functions of the Reconstruction Finance Corporation and its subsidiaries for the quarter ending June 30, 1944; to the Committee on the Civil Service.

1532. A letter from the Attorney General, transmitting the sixth report of the Attorney General covering the period from January 8, 1944, through May 6, 1944; to the Committee on Banking and Currency.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CLARK: Committee on Rules. House Resolution 531. Resolution for the consideration of H. R. 4421, a bill authorizing appropriations for the United States Navy for additional ordnance manufacturing and production facilities, and for other purposes; without amendment (Rept. No. 1436). Referred to the House Calendar.

Mr. BATES of Kentucky: Committee on Rules. House Resolution 526. Resolution for the consideration of H. R. 4710, a bill authorizing the acquisition and conversion or construction of certain landing craft and district craft for the United States Navy, and for other purposes; without amendment (Rept. No. 1437). Referred to the House Calendar.

Mr. COX: Committee on Rules. House Resolution 543. Resolution for the consideration of H. R. 4184, to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; without amendment (Rept. No. 1438). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTINGER: Committee on Claims. H. R. 1645. A bill for the relief of Edward Gillam; with amendment (Rept. No. 1441). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 4792. A bill to amend the Federal Farm Loan Act, to amend the Emergency Farm Mortgage Act of 1933, to amend the Federal Farm Mortgage Corporation Act, and for other purposes; to the Committee on Agriculture.

By Mr. WHITTINGTON:

H. R. 4793. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; to the Committee on Flood Control.

By Mr. HOLMES of Massachusetts:

H. R. 4794. A bill to amend the Federal Trade Commission Act with reference to the transactions in regard to watches containing works of foreign manufacture; to the Committee on Interstate and Foreign Commerce.

By Mr. LEMKE:

H. R. 4795. A bill to authorize the undertaking of the initial stage of the comprehensive plan for the conservation, control, and use of the water resources of the Missouri River Basin; to the Committee on Irrigation and Reclamation.

By Mr. AUGUST H. ANDRESEN:

H. J. Res. 279. Joint resolution to provide for the carry-back of net operating losses resulting from reimbursement of vendees for unconstitutional processing taxes; to the Committee on Ways and Means.

By Mr. CANNON of Missouri:

H. J. Res. 280. Joint resolution to provide assistance to farmers whose property was destroyed or damaged, in whole or in part, by floods in 1944 in order to enable them to continue farming operations to produce food for the war effort; to the Committee on Appropriations.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 4796. A bill granting a pension to Nina G. Glvens; to the Committee on Pensions.

By Mr. FERNANDEZ:

H. R. 4797. A bill to require conveyance of certain lands in the San Joaquin del Rio de Chama grant (in the State of New Mexico), and reserving minerals and other interests therein; to the Committee on the Public Lands.

By Mr. WINTER:

H. R. 4798. A bill granting a pension to Henry A. Barker; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5651. By Mr. BRYSON: Petition of Lillie Nyhus and 34 other citizens of Roshalt, S. Dak., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5652. Also, petition of Mary D. Strickles and 69 other citizens of Cumberland, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5653. Also, petition of Rev. J. H. Hour and 82 other citizens of Willits, Calif., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5654. Also, petition of V. H. Ward and 58 other citizens of Eckley, Colo., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5655. Also, petition of Mrs. William F. Smith and 66 other citizens of Fort Madison, Iowa, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5656. Also, petition of Benjamin H. Shultz and 60 other citizens of Detroit, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5657. Also, petition of Annie E. Lance and 61 other citizens of Philadelphia, Pa., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5658. Also, petition of Rev. T. G. Weaver and 38 other citizens of Mexico, Ind., urging enactment of House bill 2082, a measure to

reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5659. Also, petition of Lillian Graham and 57 other citizens of Ionia, Mich., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5660. Also, petition of M. H. McCullough and 42 other citizens of Hampstead, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5661. Also, petition of Mrs. William Berrell and 51 other citizens of Enid, Okla., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5662. Also, petition of Mrs. B. A. Fearington and 45 other citizens of Greensboro, N. C., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5663. Also, petition of Mrs. Warren D. Johnson and 38 other citizens of Nottingham, Pa., and Elkton, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5664. Also, petition of Alexander W. Durfee and 50 other citizens of Baltimore, Md., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5665. By Mr. GOODWIN: Statement adopted by the Laymen's League Chapter of the Unitarian Church, Somerville, Mass., protesting against the action of the Government in the Montgomery Ward case; to the Committee on Rules.